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CALENDAR  
OF  
STATE PAPERS,  
COLONIAL SERIES,  
AMERICA AND WEST INDIES,  
1710-JUNE, 1711.

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EDITED BY  
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## CORRIGENDA.

Baron Dartmouth is frequently, but prematurely, referred to by his contemporaries as the Earl of Dartmouth (*e.g.* Nos. 613, 832, 842, 843). He was not raised to the Earldom till Sept. 5, 1711.

*Page 23, line 30, for 12, 29 read 29, 12.*

- „ 31, *line 7, for soils read soil.*
- „ 36, *No. 93 i. line 2, for ordinances read ordinaries.*
- „ 38, *No. 97, line 5, for St. Christophers read St. Thomas's.*
- „ 40, *No. 105, line 2, for March read last month.*
- „ 44, *No. 118, line 1, for and Governor read to Lt. Governor.*
- „ 59, *No. 160, line 6, for occsaion read occasion.*
- „ 62, *No. 166, line 11, for Holleton read J. Colleton.*
- „ 67, *No. 176, line 4, for March 14 read March 4.*
- „ 85, *No. 214, lines 1 and 2, for Leyden read Heyden.*
- „ 141, *line 23, for as read us.*
- „ 149, *No. 326 i., line 2, for Pennyslvania read Pennsylvania.*
- „ 170, *line 30, insert the before due forms.*
- „ 174, *last line but one, for Park read Clark.*
- „ 179, *line 7 from bottom, for 39, 7, read 37, 9.*
- „ 181, *line 20, for rejected read reject.*
- „ 186, *line 10, for 29, 13, read 29, 12.*
- „ 195, *line 32, for forfeiting read fortifieing.*
- „ 247, *No. 462 i., line 3, for South read Royal.*
- „ 266, *line 5, for ports read forts.*
- „ 273, *line 26, for ? Earl of Sunderland read ? Lord Dartmouth.*
- „ 274, *3 lines from bottom, dele referred to in preceding.*
- „ 330, *line 11, for Neuve read Neuf.*
- „ 387, *line 35, for expecting read excepting.*
- „ 395, *line 29, for 143, 11 read 153, 11.*
- „ 432, *line 24, for ways read days.*
- „ 444, *line 23, for 16, 21 read 116, 21.*
- „ 461, *line 34, before Recd. insert Andrew Boulton. Endorsed.*

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NOTE. *etc.* printed in italics in the course of the text indicates that matter merely repeated or of no importance, is there omitted. Words printed in italics between square brackets [*thus*] are suggestions by the Editor in places where the MS. is rubbed or torn etc.

## PREFACE.

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### § 1.

#### GENERAL.

Capture of  
Port Royal.  
Murder of  
Governor  
Parke.

The most striking events in the Colonies during the years 1710 and the first half of the year 1711 were the preparations for an Expedition against Quebec and Montreal; the successful Expedition to Nova Scotia and the capture of Port Royal, and the murder of Daniel Parke, Governor of the Leeward Islands.

Major  
Living-  
ston's jour-  
ney to  
Quebec.

But perhaps the most remarkable of the documents included in these pages is the "Journal of the Travails of Major John Livingston from Annapolis Royal to Quebec and from thence to Albany and soe to Boston" (673). Col. Vetch, in introducing the hero of this extraordinary adventure to Lord Dartmouth, says that Livingston endured "not only the greatest fatigue but danger ever mortal perhaps undertook and escaped" (741). He can hardly be accused of exaggeration. For the tale of Livingston's experiences includes almost every conceivable form of hardship and disaster into which the liveliest imagination of a romancer could plunge his hero, if his hero were, like Livingston, a pioneer amongst the shows and half-frozen lakes of Canada.

The occasion of this amazing journey, which was begun on Oct. 15th, 1710, was the carrying of a letter from General Nicholson and the Council of War to the Governor of Canada, announcing the capture of Port Royal, demanding the surrender of English prisoners, and threatening reprisals if the Marquis de Vaudreuil persisted in raiding the frontiers of the British Colonies (427, 427 i.). Landing in the neighbourhood of Penobscot, at a harbour which he named after the Baron de St. Castien, who was detailed by the late Governor of Port Royal to accompany him, Livingston set forth with a party of Indians, well supplied with provisions and

canoes. They worked their way along the Penobscot River and presently laid in a stock of snowshoes. A party of Indians from Penobscot, infuriated by the escape of an English prisoner whom they had captured at Winter Harbour, would have killed Livingston in revenge, but the intervention of M. de St. Castien saved his life. So threatening was their aspect, however, that he was obliged to empty his kegs of rum, for fear of its effect upon the exasperated Indians, should they get hold of it. "We suffered much after in our journey for want of it" he observed. The snow was already knee-deep upon the mountains, and the rivers were full of ice. The waters of Penobscot River were running very fiercely at "the Riplings" (rapids). The very day after they had begun their journey in earnest a canoe was capsized in which Livingston lost all his clothes and provisions and his gun. One Indian was drowned. Through snow, rain, mud and ice, over rough carrying-places and across beaver dams which compelled them to unload their canoes; occasionally shooting some geese or ducks, or finding a beaver in a trap; sometimes carrying their canoes for lack of water, sometimes breaking the ice for miles at a stretch to make a way for them, they pushed indomitably on. Ere long they were obliged to abandon their canoes, which were cut and torn by the ice. After going for ten days, provisions began to run short. They reached a chain of lakes, but were obliged to skirt it, the ice being too weak to bear them. But more than one lake they did in desperation cross, creeping on their stomachs with a long pole in their hands, for the ice was so thin that it bent in waves beneath them. It seemed little better than madness, the narrator admits, "but Death was before us . . . and the Indians were resolved to go over being sharp set with hunger" (*pp.* 376, 377). They were compelled to delay their progress whilst they hunted for beaver, the Indians feasting all night when they killed, and making no provision for the morrow. Presently they were weather-bound and forced to pass some days in wigwams. Wet to the skin with alternate snow and rain, sometimes wading rivers waist high, they came at last to the Great Lake. But it was not frozen. They were obliged to circumvent it by "extraordinary

bad way, through most prodigious doleful woods" (377). After one day of desperately bad going and having been "forced to haul very short" for lack of food, when their lives depended upon every league they made towards their goal, they suffered the most depressing experience which can befall a traveller. "About two in the afternoon we came across our own tracks." They had been travelling in a circle.

Through such hazards they worked along a branch of Penobscot River, apparently in the direction of the Chesuncook and Moosehead Lakes and St. John River, and over spurs of the Green Mountain Chain. On Nov. 25th their breakfast was a walk over a mountain "which was prodigious high and steep." Their shoes were torn from their feet, but having the good fortune to kill a beaver, they were able to repair them. They were now reduced to eating the bark of trees and roots. At length, by the 5th of December, after travelling 10 or 12 leagues a day with nothing to eat since they killed a couple of porcupine on Nov. 30th, they were utterly spent. When they were reduced to the last extremity they came upon a house. "I cannot express the joy I felt at so comfortable a sight." They had reached Quebec River. A few days later Livingston was being nobly entertained by the Governor of Canada "with musick and dancing," and sharing in the Christmas festivities of Quebec. Vaudreuil, however, said he could not undertake to exchange prisoners who were in the hands of the Indians. (*p.* 380). By the 10th of January Livingston had set out again for Albany and Boston with Vaudreuil's reply to Nicholson's letter. Later, he sent in a detailed account of French forces and fortifications in Canada (569).

Vaudreuil  
and English  
prisoners.

Account of  
French in  
Canada.

Expedition  
against  
Canada  
abandoned.

The abandonment of the Expedition against Canada in 1709, due to the diversion of the Fleet upon more urgent occasions, had caused uneasiness among the Five Nations. Governor Dudley expressed the fear lest the Mohawks would now be more easily detached from their allegiance by the French Missionaries among them (81). In February a mission of Sachems accompanied by Col. Schuyler sailed from Boston in order to wait upon the Queen and Ministers, and to urge the renewal

of the enterprise against the French (103, 194). The dispatch of this mission had been decided upon by the Congress of Governors, etc., in October, 1709, as is shewn by the document printed C.S.P., 1709, *No.* 794 i. Doyle is therefore wrong in supposing that it was undertaken by Schuyler on his own responsibility (*English in America, Middle Colonies*, p. 346). The visit of the Indians, which has been described by Smith and immortalised by a paper in Addison's *Spectator*, created a considerable sensation in London (*See also p. xv.*).

Disappointment at the abandonment of the Expedition was keenly felt also by the New Englanders. The cost of preparations in the previous year had been great. Not only was Massachusetts not relieved from the heavy burden of defending the frontiers, but seaborne trade suffered severely from the privateers for whom Port Royal still provided a secure base. Nine vessels in five days were taken by them outside Boston in May (237). Petitions, as we have seen, were sent praying for a renewal of the Expedition. But those who had been most eager to help were discouraged at the absence of any instructions for a further attempt (81, 81 xvi., 237).

Expedition  
sails for  
Boston.

General Nicholson, however, was sent over by Sunderland in the spring to make preparations. On July 15th he arrived at Boston, where he had long been impatiently expected (240, 241, 246, 288, 357, 380, 396). The Naval and Military forces which accompanied him are shown (241, 241 i., ii., iv.).

Quotas.

The Governors of the Northern Provinces were summoned to Boston; a Council of War was held, and the several Governments were warned to contribute their quotas of men, provisions and transports. This proved to be a matter involving some difficulty and delay owing to the lateness of the season and the discouragement of last year's postponement. Deficiencies had also to be made good of stores of war "pretended to have been sent over from the Tower" (396). Still, Governor Dudley had his contingent ready by Aug. 22. The quotas from the other Colonies arrived at Boston in the second week of September (*p.* 267).

The Expedi-  
tion  
welcomed.

Addresses of thanks for the promised Expedition and assurances of co-operation were sent to the Queen by

Massachusetts Bay, New Hampshire, Connecticut and Rhode Island, with a request from Massachusetts that Port Royal, if captured, should be garrisoned by regular troops, and a suggestion, from Rhode Island, that the quotas might more justly be based upon the numbers of the Militia in each Colony (337 i., 356, 357 i., 358).

Fall of Whig  
Ministry.

Meanwhile, at home, the Whig Ministry had fallen. Emboldened by the manifestations of Tory enthusiasm which followed upon the ill-advised impeachment of Dr. Sacheverell by the Whigs, Queen Anne hastened to change her Ministers. Sunderland was dismissed. Dartmouth succeeded him as "Secretary of State for the Southern Province with the West Indies" (327, 497).

Sunder-  
land and  
State Papers.

It was characteristic of the way in which State Papers were still regarded as private correspondence of a particular Minister, that Sunderland took with him the papers of his Office, and in the following February had not yet delivered them over to his successor (669). Some light may be thrown upon this proceeding by Burnet's story that Nottingham and the extreme Tories wished to impeach Sunderland, but Dartmouth refused to help them with material from his Office.

General Nicholson and Col. Vetch wrote anxiously from America to the Secretary of the Board of Trade asking for Court news (392). Mr. Popple's reply was sent after the General Election and indicated the formation of an entirely Tory Ministry under Robert Harley. St. John had succeeded Boyle (497). It was with this Ministry that Louis XIV. attempted to renew the negotiations for Peace which had fallen through in 1709. The change of Ministry did not, however, immediately affect the fortune of the Expedition.

Baron Dart-  
mouth  
and the  
Expedition.

Baron Dartmouth approached his duties and Colonial problems with the energy and careful investigation of a good man of business. On the 6th of July, in response to his enquiries, Mr. Jeremy Dummer reported that it was not too late for the Fleet to sail. He based his reply upon the experience of ships in 1690 and recent navigation. The time for going up the St. Lawrence was September, and if the Fleet sailed from England by the last day of July, it would still be early enough, though it would have been better had it been earlier

(290). Preparations were then pushed forward (297). Lord Shannon was appointed Commander in Chief of the troops to be employed in the reduction of Canada and other places in America (301, 302). He was directed to proceed with all haste to Boston. There he was to hold a Council of War with Cols. Nicholson, Vetch, some senior sea-officers, and the provincial Governors, before advancing on Quebec (302).

But on the last day of August Dartmouth, in a dispatch to the Governors concerned, announced that though, like last year, all necessary preparations had been made to provide a force of sufficient strength to beat the French in North America, it had been found necessary to lay them aside for the present "by reason of the contrary winds which happened when the season was proper for the Fleet to sayle, and in regard of other important services which intervened." They were ordered to proceed with the Expedition against Port Royal under Col. Nicholson (380, 381).

Nicholson sailed from Boston for Port Royal when September was a fortnight old (392, 395, 396). Only four hundred out of five hundred Marines ordered had arrived from England. Some fear was felt lest this weakness combined with the strengthening of Port Royal "upon last year's alarm and this year's expectation" might render the undertaking more difficult than it would have been in the spring. But these gloomy forebodings were happily falsified. Port Royal had received no supplies from France for three years. The place was in no condition to resist a siege, and fell almost at the first blast of the trump (241, 241 i., ii., iv., 396, 613, 879). After "a week's service on the shoar" the Governor, M. de Subercase, surrendered the fort and country on Oct. 2nd (411, 412, 491). A Journal of the Expedition was printed in the *Boston News Letter*, Nov. 6th (491 xiii.).

The name of the place was changed to Annapolis Royal in honour of the Queen (460). A plan of the Fort is given (434). Col. Nicholson described the extent of the territory acquired (460), and a memorandum of the bounds of the coast was sent by Capt. Southack (429).

Articles of  
Capitula-  
tion.

The Articles of Capitulation were destined to prove the occasion of some trouble in the future (411, 412). It was provided that the inhabitants within gun-shot of the Fort were to be allowed two years in which to decide whether they would leave or take the oath of allegiance to the Crown of England. In the mean time they might remain upon their estates undisturbed, "with their corn, cattle and furniture." Certain arrangements were made for the transport of those who wished to retain their allegiance to the French King. A list of the inhabitants of the *banlieu* is given (433). The rest of the inhabitants of Nova Scotia, as Nicholson was quick to point out, were "left absolutely prisoners at discretion" (412, 427 i., 460). The Garrison were to march out with the honours of war and return to France (412).

Disposal of  
inhabitants.

In announcing their success to the Queen, Nicholson and the rest of the Council of War asked for instructions as to the disposal of the French inhabitants. They recommended that all the French inhabitants of the country who would not adopt the Protestant religion should be transported without delay, and that a settlement of British Protestants should be sent over to develop the lands, Fishery and Naval Stores. A Collector of Customs was required, and a frigate to guard the coast as well as 500 men to garrison the Fort (460, 613, 879).

News sent to  
Quebec.

News of the surrender of Port Royal was sent to the Governor of Canada through the agency of Major Livingston, whose journey we have already described (427, 673). Using the French inhabitants as a pawn, the Council of War notified M. de Vaudreuil that reprisals would be made upon the chief of them, if he persisted in permitting the savage raids upon the frontiers which resulted in "inhumanly murdering a great many poor innocent people, and children." They demanded the surrender of British prisoners in the hands of the French or their Indian allies, particularly the daughter of the Minister of Dearfield. In the event of refusal, the like number of the chief inhabitants of Nova Scotia would in the same manner be made slaves amongst our Indians (427 i.). Nicholson returned to England, leaving Col. Vetch as Governor of Annapolis Royal with a garrison of 500 troops, partly composed of Colonial volunteers. Annapolis Royal was proclaimed sole port

Col. Vetch  
Governor of  
Annapolis  
Royal.

and place of trade for Nova Scotia (419, 420, 425, 460, 491). By way of asserting the Queen's sovereignty, Vetch presently assumed the title of Governor "of all the territories of Accadie and Nova Scotia" (613). He was able in the New Year to announce that all the inhabitants remaining within the banlieu had taken the oath of allegiance. But as for the rest, he had granted them no terms, in spite of their requests for protection and offers to take the oath of allegiance, since he was awaiting anxiously instructions from home upon that head. Uncertainty as to their fate was keeping them in a ferment and the Indians hostile. Steps were being taken to repair the ruined Fort (460, 613, 613 i., ii., 879). The problem of supporting the garrison and providing for their pay caused the usual anxiety to a Governor who was not sure whether his bills would be honoured at the Treasury (741 i., ii., 742, 879), and who was himself left without pay or salary. Col. Nicholson himself found difficulty at the Treasury both as to his own pay and the meeting of bills drawn for the cost of the Expedition (681, 701).

Plight of the  
Garrison.

The garrison suffered severe losses during the ensuing winter, partly from the cold and partly by the desertion of numerous Irish Papists. They were, moreover, unsettled by lack of any instructions as to the establishment of this mixed force, whilst the French and Indians rendered the task of repairing the fortifications hazardous and difficult. Vetch pressed for reinforcements either from the Five Nations or the Independent Companies at New York. He repeated the request for a frigate to protect the port and coasts. In June a large fraction of the much reduced garrison was ambushed by Indians from Penobscot and destroyed (879, 879 i., 884, 887). Vetch reported that he was hemmed in and threatened by the enemy on the land side, whilst two French ships appeared off the coast with provisions and reinforcements (884, 887).

An Indian  
Ambush.

Resources of  
Nova Scotia.

One of the inducements offered by the supporters of the project of taking Nova Scotia had been that the country would be able to supply the whole Navy with Naval stores (396, 460, 479, 482). Col. Vetch was soon able to announce that a first shipment was ready (884).

The fishery, furs, coal and mineral wealth of the country were also represented in glowing colours (482, 579, 884). Addresses of congratulation upon the success of the venture were sent to the Queen from Massachusetts Bay (482, 579), New Hampshire (435), Connecticut and Rhode Island (503-505). Her Majesty was reminded of the promise that had been made, that the Governments which participated in the Expedition should enjoy a preference both in regard to the settlement of the land and the trade and fishery of the Province. The leaders of the Expedition made a similar request, and asked in addition that the Honourable Order of Baronets of Nova Scotia should be revived in their favour (425, 426). (No Baronets of England, Scotland etc., were created after the Union, the title being changed after 1707 to Baronets of Great Britain, *v. Pixley. History of the Baronetage*). The retention of the country in the coming Treaty of Peace was particularly urged (482, 579).

Order of  
Baronets.

Renewal of  
Expedition  
against  
Canada.

At the same time the New Englanders petitioned for the renewal of the attempt upon Quebec and Montreal in the Spring, whilst suggesting that the quotas required from them should be reduced, and that the other Colonies, as far South as Virginia, should be called upon to contribute their share (435, 482, 491, 503-505, 575 i., 579, 769). No settled repose, it was declared, could be expected until Canada, "the American Carthage," was subdued (579). On October 14th, a fortnight after the fall of Port Royal, five regiments were embarked at Portsmouth under Viscount Shannon, but to no purpose (428, 430, 430 i.). In the following February the Expedition was once more put in train. The preparations were to some extent entrusted to the new and able Commissioner for Trade, Arthur Moore (678, 681, 697-701, 893).

The alarm of the attempt in 1709 had occasioned a strengthening of the defences of Quebec (528 vi.). Endeavours were made to keep the new design secret. But Mr. Moore reported on the 4th of March that it was already public property (699-701). General Nicholson was now prepared to sail (681, 701). But, as usual, there was delay in dispatching the ships (701). Nichol-

son having communicated his instructions to the several Governors, a Council of War was held at New London, June 21, which was attended by the Governors of New York, Massachusetts, New Hampshire, Rhode Island and Connecticut. Measures were concerted for providing transport and supplies. The Minutes are given (893). Strict embargoes were laid on all the ports in the hopes of maintaining secrecy. The Proclamation issued for a General Fast to intercede for success would hardly seem to be the best means of securing that object. The provincial quotas were ordered to concentrate at Albany on July 2nd. The offer of some of the regular officers sent over with Nicholson to command these contingents was not received with enthusiasm (893).

The arrival of the Fleet and forces under General Hill was then awaited.

French  
Activities.

On land, apart from preparations for resisting the British attack upon Canada (which included the building of a stone fort at Chamblis), the French made the best use of the reaction caused by the postponement of that enterprise (317, 528 vi., 673). Their intrigues with the Five Nations once more caused anxiety (81, 834 i., 863, 863 i., 864 i. *and see below*, p. xv.). Encouraged by M. de Vaudreuil, the Canada Indians raided the New England frontiers (*v. supra*). Governor Dudley's intention of inflicting reprisals for the rewards offered by Vaudreuil for English scalps received the approval of the Board of Trade (34).

French at  
sea.

At sea, enemy privateers were "thick as bees," and raids were made upon the Leeward Islands (*v. §3. p. xlv.*). The capture of Port Royal, however, gave great relief in this respect to the New England coast (237, 850).

In the spring of 1710 we hear of a large fleet of merchantmen, with a convoy of five men of war under M. du Clair, sailing unmolested from La Rochelle. Its destination was said to be Brazil, where its attempt miscarried (232 i., 241, 241 iii., 838).

Early in 1711, M. Ducasse arrived in the West Indies with a squadron which was intended to convoy the Spanish galleons from Cartagena and Havana. His presence caused some perturbation in Jamaica (843).

Indians :  
The Five  
Nations.

In spite of French intrigues, the Five Nations remained loyal. We have seen that their Sachems visited England in order to urge the renewal of the Expedition against Canada. In the course of their Address to the Queen on this occasion they begged that Missionaries should be sent to instruct them, and on their return asked that a chapel should be erected and a garrison installed in their Fort (194, 310). Minutes of the Society for Propagating the Gospel in Foreign Parts upon these proposals are given (210). Nicholson also urged the importance of complying with their request (232).

Governor  
Hunter's  
Conference  
at Albany.

Shortly after his arrival in New York, Governor Hunter reported that the Senecas had affirmed their loyalty, which had been under suspicion, and that the Waganhas, who had formerly been in the French interest, had entered the Covenant Chain (317). At a Conference held by him with the Five Nations and River Indians at Albany in August, 1710, they reiterated their resolution to "keep the Covenant Chain bright." They renewed their demand for missionaries and garrisons, and asked that forts should be built to protect them from the French (414, 834 i.). They promised that, on their part, they would not receive "those dangerous people, the Jesuits" in their Castles (*p.* 496). Hunter gave them the presents from England expected from a new Governor, and promised to build a fort at Schaahkook. He commended them for opening a path for the Far Indians. He required them to entertain no more Jesuits or French emissaries, and bade them hold themselves in readiness for their part in the coming Expedition. Amongst the recommendations of the S.P.G. (210), was one in favour of the prohibition of the sale of intoxicating liquor to the Indians. This measure was also urged by the Sachems at the Conference, and Hunter promised compliance (*pp.* 490, 539). Their desire for sobriety, however, would appear to have been mainly altruistic. For when Col. Schuyler presented them with twenty gallons of rum, the gift proved "very acceptable" (*p.* 539).

The French  
and the  
Senecas.

The Interpreter, Lawrence 'Claes, who had been sent to the Senecas' country "to watch the motions of the

French," reported that he had found French emissaries at Onondage, endeavouring to persuade them not to join in the Expedition against Canada. The Senecas refused to inform him what their answer was, but communicated it to Hunter (*pp.* 490, 491, 497, 498). They suggested that the English should build them a fort (*p.* 491). In the following spring, however, it was reported that the French mission had returned to the charge, with a large present from the Governor of Canada, and that they were busy building a fort at Onondage. Upon receipt of this news, Governor Hunter dispatched Col. Peter Schuyler to restore the wavering allegiance of the Senecas. By the exercise of his great influence with them, and the persuasive power of a goodly present out of the stores sent from England, Schuyler achieved this object. He secured the immediate destruction of the blockhouse the French had begun to erect (863 i., ii., 864 i.). It was evident that there was a considerable section of the Indians whose loyalty was wavering (834 i., 859, 863 i., ii., 864 i.). But in spite of such indications of the use to which the Agreement of Neutrality was being put by the French, and the dissatisfaction of the neighbouring Colonies therewith, New York remained wedded to that policy. "Rather than be at the expense of supplying them with ammunition, and defending their frontiers . . . , they choose to sit contented under this precarious security." So wrote the Secretary of New York (859). The Assembly adhered to its refusal to raise funds either for the presents which were necessary to counteract French *largesse*, or to provide for spies sent out to Canada *etc.* (859, 863 i., ii.).

Some instances of the terrible cruelty practised by Indians upon their prisoners, and not discouraged by the Governor of Canada, are given (190 ii., iii.). The lot of prisoners who fell into the hands of Spain was little better (780 ii.).

Several Acts of Parliament affecting the Colonies were contemplated. Apart from those concerned with the encouragement of Naval Stores and the preservation of mast trees referred to below (*p.* *xxi.*), the most important of these was the proposed Act for settling the revenue of New York (*see p.* *xxxi.*).

French build  
fort at  
Onondage.

The Senecas  
persuaded to  
destroy it.

The  
agreement  
of  
Neutrality.

Cruel  
treatment  
of prisoners.

Acts of  
Parliament  
affecting the  
Plantations.

At the request of British exporters of manufactured iron and steel, clauses were prepared to be submitted to Parliament enacting that no drawback of customs should be allowed upon unwrought steel and iron re-exported to the Plantations (621 i., 637, 641). For the effect of the existing system, it was complained, was to penalise the British manufacturer and to encourage the production of iron and steel ware in New England, contrary to the recognised trade policy of Great Britain. New England, it was asserted, already had the advantage that labour was cheaper there than in England, and they had coal in their neighbourhood cheaper than the smiths in London (578, 578 i., 621 i.).

The question was still raised as to how far Acts of Parliament applied to the Plantations, unless they were specifically mentioned (710). They were sometimes ignored, even when particularly directed to them, as in the case of the Act *for ascertaining the value of foreign coins* (31, 113, 491). The enforcement of this Act was again pressed by the Council of Trade (34, 35, 39).

The African  
Trade.

In the Act *for settling the trade to Africa*, which had been shelved in both sessions of the last Parliament, (p. 307), the Plantations were vitally concerned. For upon the issue of renewing the monopoly of the Royal African Company or throwing open the trade in negroes to the Separate Traders, depended the supply of slaves for the tobacco and sugar planters and the prices at which they were to be obtained. There was also the Assiento trade. Jamaica, which was most concerned, was in favour of free trade (582 i., 866 i., ii.). Barbados, on the other hand, preferred the Company's monopoly, declaring that competition had raised prices (541 iii.). The Separate Traders replied with the more probable explanation, that the rise in price was due to the issue of paper money in Barbados (632 i.). They state their case (544, 581). The Company renewed their application for a monopoly, explaining their position and financial difficulties in a petition to the Queen (541 i.), upon which the Council of Trade reported, after obtaining returns of imports and prices, and hearing both sides (461, 462 i., 632 i.).

An alteration in the duties upon prizes and prize goods was found necessary (v. §3. p. xxxviii.).

Illegal  
trade and  
flags of  
truce.

Information was laid before the Board of Trade as to the trade which continued to be transacted with Curaçoa, St. Thomas, Martinique *etc.*, in defiance of the Acts of Trade and Navigation. A circular letter was therefore addressed to the Governors of Plantations calling their attention to this traffic and directing them to find out and prosecute delinquents (42, 47, 47 i., 83, 114). The arrangement of cartels and the sending of flags of truce for the exchange of prisoners, easily lent itself to the carrying on of illegal trade. An Additional Instruction was sent to the various Governors calling upon them to take care to put a stop to such abuses (47, 47 i., 147, 213).

The Council  
of  
Trade.

It was not only the Governors in New York, Massachusetts Bay or Jamaica who were involved in financial difficulties by the policy of Assemblies or "stops" at the Treasury. The Lords Commissioners of Trade had to represent to the Lord High Treasurer that their salaries were five quarters in arrears at Christmas, 1709 (27, 494, 495). In spite of this discouraging experience, and the indifference with which Ministers treated many of their suggestions, they continued to do their work in business-like fashion. They repeatedly ask for information and statistics from the Governors, and insist that Acts, accounts of revenues and stores of war should be sent in regularly. An important appointment to the Board was that of Arthur Moore, who was afterwards so closely connected with Bolingbroke's commercial treaty with France, and now took a leading part in the preparations for the Expedition against Canada (578 *etc.*).

Arthur  
Moore.

Naval  
Occasions.

The Naval Squadron stationed at Jamaica achieved little beyond the capture of some privateers. The ships were in poor condition and the *personnel* was so enfeebled by desertion and disease that they could only put to sea if manned by soldiers from the Jamaica Regiment (170, 253, 277, 415). The Spanish flotilla of richly laden galleons slipped away from Havana on Jan. 7, 1710, and though very weakly convoyed by French and Spanish ships, reached Cadiz in safety. It was not till many weeks later that the Governor of Jamaica learned that the birds had flown (170, 313). The Council of Trade expressed disappointment that no warning had been sent of

Spanish  
galleons  
arrive  
at Cadiz.

Watch  
kept upon  
Cartagena.

their movements in time for the Home Fleet to intercept them (182, 277). Watch was then kept by the Jamaica Squadron and privateers for the next flotilla of galleons which was reported in June to be preparing to sail from Cartagena (253). They were still in port in October, and Governor Handasyd was confident that, if they sailed, the British ships would "dust their doublets" (415). But they returned without success. In December a French and Spanish merchant fleet reached Havana unmolested. The men of war which accompanied them were said to be intended to convoy home the flotilla from Cartagena (530). Still in hopes of intercepting these galleons, British warships cruised off Havana and Cartagena in the following spring (738).

M. Ducasse  
in the West  
Indies.

In May, however, whilst the Squadron was engaged in protecting Jamaican traders on the Spanish coast, Ducasse was reported to have arrived with eight men of war intended to convoy the Spanish galleons (843, 843 i., 857, 866). This force was too strong for the Squadron, but Governor Handasyd sent timely news of it (857, 866). At the same time Governor Lowther going out to take up his Government at Barbados, also heard of Ducasse at Madeira, and on arriving at Barbados was informed of the preparations being made at Martinique and Guadeloupe for an invasion of the Leeward Islands. The convoy which had escorted him at once proceeded to Antigua, as had previously been arranged (750. v. §3). The presence of this force, combined with the activity of the guardships sent from Barbados and a successful engagement by H.M.S. *Newcastle*, effectually frustrated the threatened attack upon the Leeward Islands (877, 877 ii.-iv., 891, 891 i., 897, 897 ii., 899, 902, 904). H.M.S. *Garland* was lost off the Capes of Virginia (21).

Protection  
of the  
Leeward  
Islands.

Loss of  
H. M. S.  
*Garland*.

Nomencla-  
ture of ships.

The continuity of nomenclature observed in the Navy is illustrated by the names of men of war which occur in these pages. No less striking is the continuity of names in the merchant service. The *Lusitania* appears (466, 877) in the West Indies; and of all those that figure in Lloyd's list to-day or are mentioned in Mr. Kipling's chanty,

"Sweepers, Unity, Claribel, Assyrian,  
Stormcock, and Golden Gain,"

a large proportion will be found sooner or later in the pages of this Calendar.

Guardships  
and Victuall-  
ing Stations.

Harassed by privateers and threatened with raids upon their coasts, the need of more guardships was generally urged by the several Governors. Nor did Virginia and the Leeward Islands appreciate the arrangement by which the ships upon their stations were obliged to leave them unprotected and go to New York and Barbados to refit and re-victual. New victualling stations were therefore requested. These demands, and demands for convoys for the Trade Fleets, were backed by the merchants of the City and the Out-ports. They were satisfied to the full extent of the Admiralty's resources and perhaps in excess of the requirements of the strategic position.

Privateers  
and  
Pirates.

The activity of privateers upon both sides was great. Numerous captures are reported. The taking of Port Royal had closed that port as a starting point for French privateers which had harassed the coasts of New-England. But from Martinique and Havana they continued to infest Jamaica and the Leeward Islands. Several instances of very gallant fights with enemy privateers by English merchantmen are recorded. In one, the crew of a Liverpool galley, after strewing the deck with broken glass bottles in order to cramp the style of bare-footed boarders, retired to close quarters and repelled a fierce attack from a French sloop. In another, after two engagements in which he was boarded by greatly superior numbers, the master of a London galley reached Jamaica "with more prisoners than he had crew" (177, 287 i., 415). Nor was the evil confined to enemy vessels. Complaint was made that British privateers, hailing from Jamaica and Carolina, were ruining the trade with the Spanish main, and producing a shortage of sailors for merchantmen. They were not always easily distinguishable from pirates in their behaviour, and, it was plainly foreseen, were "breeding a nest of pirates" for the future, when Peace was made (84).

A few pirates surrendered themselves upon the Proclamation of Pardon, and others were absorbed by privateers. But having come in and wiped their slate

clean, they were not infrequently tempted to sail again under the Black Flag (84, 253, 313, 313 i.). Piracy, indeed, was so tempting a profession that soldiers from the Independent Company at Bermuda conspired to run away with the sloop *Flying Fame* and goe a pirateing (266, 266 i.-iii.).

An alteration in the duties on prize goods was found to be necessary (v. §3. p. xxxviii.).

Naval  
Stores.

Attention continued to be paid to the encouragement of the production of Naval Stores. Both from an economical and a political point of view, the scheme of granting a premium upon naval stores imported from the Plantations appeared to be justified. If the Empire could supply English shipping with timber, masts, pitch, tar, flax and hemp, it would be freed from the danger of a shortage of supplies and an enhancement of prices in war-time. The Navy would no longer be at the mercy of a Swedish Company which preferred to supply the French (61 i.). From the point of view of the English manufacturer, the attention of the Colonist would be turned advantageously from spinning flax and wool, whilst the Colonist himself would reap the harvest of a more profitable industry by exporting raw material in exchange for English manufactured goods. "I have experienced" writes Mr. Bridger, the Surveyor General of H.M. Woods in America, "that a man shall earne as much by makeing of tar, that will buy two coats in the same time that he's spinning and weaving wool enough to make one" (86, 491). In the development of this industry the premium granted to the Colonies by the Act of Parliament *for the encouragement of the importation of Naval Stores from America* was already beginning to have effect. It had had the immediate result of bringing down the prices of pitch and tar from Sweden (61 i., 127 i.). A return shows that in 1709 imports of pitch, tar and rozin from Carolina, New England and New York were already beginning to be of importance. In New York, the colony of German Protestant Refugees, which was being settled upon the Hudson River, was under contract to devote itself to the manufacture of naval stores. At the close of this period Col. Vetch reports that he has prepared a shipload of masts from

Nova Scotia (884). But for masts and hemp British shipping remained dependent upon precarious supplies from the Baltic (597 i.). There were still vested interests in the Naval Yards as well as ignorance and carelessness in the producers to be combated. Some readjustment of the method of paying the premiums was proposed by the merchants of Boston. This, amongst other suggestions, was recommended by the Board of Trade, in a representation to which the Admiralty gave their reply (81 i., 127 i., 172 i.). Enquiries into the subject were made by Lord Dartmouth (585). Later in 1711 the Board of Trade gave a full report upon the working of the Act to the House of Lords (734, 745). Further premiums on spars and boards were proposed by Governor Dudley (491, 585). From Virginia came a proposal for the payment of quit-rents in naval stores instead of tobacco (427 v.).

Bill for  
preservation  
of white  
pines.

The great waste of pine-trees fit for masts for the Navy was continued in New England (81, 86 i., 113, 117, 205, 283, 846, 847). In view of the refusal of the Assemblies of Massachusetts Bay, New York and New Jersey to pass an act for their preservation similar to that of New Hampshire, a bill *for the preservation of white pines in New England* was prepared, based upon the draft submitted by Mr. Bridger. At the instance of the Board of Trade, it was brought into the House of Commons at the close of one session, and re-introduced the next (34, 36, 215, 319, 481, 626, 832). It has taken two hundred years of use and waste by fire and clearings to bring the question of timber supplies once more to the front. But it must be remembered that the resources in sight in those days were limited by transport and other difficulties. The absence of roads and the presence of enemy Indians lurking in the woods rendered only those trees of any account which were near settlements and close to river-banks (44, 846). This consideration may account for the importance attached to the claim of Massachusetts Bay that the mast-trees reserved to the Crown by their Charter did not include those which stood upon any lands granted to towns or bodies politic (205, 846). The Solicitor General was consulted upon this point, and his opinion is given (234).

The claim  
of  
Massachu-  
setts Bay.

Patent  
Offices.

The evil of placemen and their deputies in Patent Offices continued to grow. A list of 27 licences of absence for Patent Officers is given (852). It is scarcely surprising that there was a tendency throughout the Plantations for Assemblies to endeavour to encroach upon the Prerogative of the Crown in the appointment of such officers. The Act of Barbados directing *how Clerks and Marshals shall be appointed* was repealed on this account (131, 134). It is to be observed, however, that merchants and others of Barbados themselves petitioned for the repeal of this Act. After experiencing the effects of giving the Judges power to nominate their own Marshals, they were led to request that persons of credit should be nominated by the Crown (66 ii., 72 i., 100, 101, *cf.* 283, 508). A special order for the maintenance of the Royal Prerogative in this matter was added to the Instructions of the new Governor of Barbados (354 i.). In Jamaica, the Act *for regulating fees* was represented by the Patent Officers concerned as prejudicing their offices and "intended to make them rather dependent upon the planters than upon Her Majesty" (2).

New Seals.

New Seals were dispatched to the Plantations (17 *etc.*). The care with which the Treasury under Godolphin watched over the public money is well known. When Goldolphin signed a warrant for a new silver trumpet for a troop of the Guards, he minuted it with an enquiry what had become of the old one. So, too, orders were given for the return of the old Seals from the Colonies, after they had been broken in Council. When the old Seal of the Leeward Islands was not returned, enquiries were made. It turned out that the ill-fated Governor had had it converted into a tankard for his own use (782).

Epidemics.

Epidemics are registered in Jamaica, Bermuda and Virginia (31, 170, 266, 555, 566, 843 *etc.*).

General  
Post.

There are some further references to the institution of a postal system on the Continent. Lt. Governor Spotswood welcomed its establishment in Virginia. But he pointed out that some difficulty would be experienced in paying the small sums for postage (required no doubt upon delivery), because tobacco was the common cur-

rency and only specie of the country (437, 835 xiv., 911). The effect of the Post Office Act of 1710 upon the American Postal System has been dealt with recently by Mr. William Smith, *History of the Post Office in British North America*.

## § 2

## THE AMERICAN COLONIES.

- Carolina.  
Governor. At the end of 1710, Charles Craven was appointed to fill the vacancy caused by the death of Major Edward Tynte, Governor of Carolina (536). By his instructions he was directed to cultivate the friendship of the Indians and to inspect accounts *etc.* (871). Orders had already been given for the transmission of revenue "every quarter in rice or money" (98), and that no grants of lands should be made except by the Lords Proprietors themselves on terms named (9, 10, 98). Grants of land were made to German Protestant Refugees (96, 167).
- Lands. A Charter was granted for erecting a port upon Port Royal River, to be called Beaufort Town, with a view to the export of Naval Stores, for which a contract had been proposed (120, 597 i., 605, 871).
- Beaufort  
Town. Political disturbances in North Carolina had led to the neglect of the defences of the country. Left at the mercy of the Indians, many settlers were preparing to migrate to Virginia (638). Edward Hyde was appointed Deputy Governor (883 i.). The questions of the settlement of the boundaries and Indian trade with Virginia are referred to below (*p.* xxxv.).
- North  
Carolina. Although harassed by the French and Indians on the frontier, Connecticut contributed its quota to the Port Royal Expedition "with unanimous and chearfull obedience" (337 i.). But the expence lay heavily upon a Colony "living wholly upon husbandry," and the address of Massachusetts Bay upon the subject was fervently echoed (503).
- Connecticut.  
Quota. The Colony proceeded with the printing of its laws (538). The dispute over the boundary with Massachusetts Bay dragged on (81).
- Laws  
printed.

Maryland.  
Council  
assume  
administra-  
tion of  
Govern-  
ment.  
Acts  
repealed.

Upon the death of Col. Seymour, the Council of Maryland assumed the powers of the Governor, enacting laws which were disallowed upon account of that irregularity (93 i., 441, 442, 468). In reply to the Council of Trade, it was explained that the Instruction, directing that the President of the Council should undertake the administration of the Government in such cases, had never been communicated to the Council (836).

Census.

A census of the country for 1710 was transmitted (474 i.). Attention was called to the increase of negroes, and also to the difficulties in which many planters were involved owing to the low price of tobacco. An Act intended for the relief of such debtors was passed (474).

Protest  
against  
Acts for  
relief of  
debtors  
etc.  
New  
Governor's  
Instruction  
as to  
Acts con-  
cerning  
Trade and  
Navigation.

Protests were entered by merchants and creditors in England against the tendency to make such laws at their expence and injurious to commerce. They proposed that the Governor should be instructed not to pass any Act relating to Trade or Navigation, unless a sufficient term was allowed for H.M. pleasure to be known upon it before it came into operation (342). In the new Governor's Instructions, a clause was added relating to the passing of laws affecting the property of H.M. subjects in Great Britain (472). The appointment of an Agent to look after the business of the Colony in England was also ordered (903, 906, 910). Col. Corbet had been appointed by the Crown to succeed Col. Seymour. But after he had been urged in vain to proceed to his Government, his Commission was revoked (292, 309, 472, 610, 622).

Agent  
ordered  
to be  
appointed.

Ld. Proprie-  
tor's  
Petition.

Lord Baltimore had once more petitioned that the right of appointing a Governor should be restored to the Lord Proprietor. Mr. Blathwayt explained that the reason why it had been taken away was that "it appeared noways fit to continue that Government under the direction of Papists" (636 i., 718 i.). Examples of Jesuit correspondence in the usual jargon of shopkeeping are given (527 i.-vi.).

Act for  
qualifica-  
tion of  
Surveyors.

Confusion caused by unnotified alterations in the terms of grants of land and abuses by the Lord Proprietor's Surveyors were the reasons advanced by the Assembly for their Act for the qualification of Surveyors. Lord Baltimore replied to their grievances in this connection (293 i.).

- Itinerant Judges. Not approving of the institution of itinerant Justices, the Assembly refused to grant any salaries for them (31, 171). Their duel with the Secretary as to the fees of his office continued (93 i., 155, 156, *etc.*). The new Governor was instructed to see to it that that Patent Officer, Sir Thomas Laurence, was allowed the fees upon ordinary licences and that he should receive compensation for the fees that had been withheld from him by the Assembly (173).
- Secretary's fees.
- Act for punishing Blasphemy. An instance of the operation of the Act *for punishing blasphemy* occurs in the case of Charles Arrabella. In an ungarded moment, this unfortunate mariner had uttered some blasphemous words "in a great passion occasioned by the spilling of some scalding pitch upon one of his feet." He was recommended to H.M. mercy, after three holes had been bored in his tongue, a fine of £20 had been imposed upon him, and he had lain over six months in prison (489, 561).
- Massachusetts Bay. Cost of Defence. Whilst Governor Dudley could take credit for his successful defence of the frontiers of New England against the French and Indians, much dissatisfaction was felt at the heavy charge which it involved, and the Neutrality of the Five Nations, whilst New York and the neighbouring Colonies "sat quiet from losses or charges" (81, 575 i., 769). Accounts of expenditure upon the abandoned Expedition against Canada were rendered. Renewal of it was urged, but it was suggested that the Southern Colonies should bear their part of the burden, and so lighten that of New England (81, 81 iii., 579, 769). The share taken by Massachusetts Bay in the Port Royal Expedition is shown (356, 482, 491, 491 ix., *and see* § 1).
- Mr. Dummer appointed Agent. Jeremiah Dummer, jr., was appointed Agent for the Colony in succession to Sir Wm. Ashhurst (226, 488, 615 i.).
- Drought. Fast and Thanksgiving. Military efforts delayed the production of Naval Stores, and a scorching drought occasioned fears for the harvest. But that evil was averted, and a General Fast was followed by a Thanksgiving (81, 81 xii., xiv., 86, 491 xii.).
- Bill for preservation of woods. The question of the preservation of the woods and Crown rights is referred to above (§1. *p.* xxi.).

Lists of  
causes.  
Paper  
money.

Lists of causes in the Courts are preserved (491 i.-vi.).

The action of an economic law is illustrated by the complete disappearance of silver coinage following upon an issue of paper money (*pp.* 267, 271).

New  
Hampshire.

New Hampshire had occasion to send an Address of thanks to the Queen for a supply of military stores, and the decision in the case of *Allen v. Waldron*, and to urge the renewal of the designed expedition against Canada and Nova Scotia (81 xvi., xvii.). The Province welcomed the expedition to Port Royal, and contributed its quota cheerfully (358).

A new  
Assembly.  
Lt. Gov.  
Usher.

In August, 1710, a new Assembly was elected, more to the mind of Lt. Governor Usher (335). That egregious person visited the Province and saw to the defence of the frontiers. He drew attention to some irregularities in the Council, and was mortified by the Governor's contemptuous remark that he put everything in a flame when he went there. He retorted with querulous complaints against Dudley (335, 382). Usher pursued his quarrel with Waldron, and finally suspended him for acting as Councillor without warrant (283, 335, 348, 508 ii., iii., 510, 510 i., iii.). The opinion of Usher held by the Council and Dudley is shown (509, 509 i.), and as for Waldron, he calls him outright "an envious malicious liar" (492 i.), made poor and angry by the long-delayed settlement of Allen's claim (492). The difficulty in finding persons suitable to act as Members of Council is mentioned by Dudley (860).

Suspends  
Waldron.

New York :  
Grants of  
land and  
quit rents.

The question of the old grants of land upon which no quit-rents were being paid, was raised again by the Attorney General of New York (95 i.). The Council of Trade, however, did not recommend his proposal for prosecuting the patentees, "in regard it may discourage the seating and cultivating of lands" (144). Upon the suggestion of Governor Hunter, the period within which a patentee was required to cultivate three acres in every fifty of a grant of lands, was extended to three years after the conclusion of the war. For it was recognised that the danger of the French and Indian enemy on the frontier rendered it impossible in many cases to proceed with the clearing of lands (317, 447).

The new  
Governor.

LT. COL. Robert Hunter, like Col. Parke and Col. Spotswood and the Earl of Orkney, had fought at Blenheim. A protégé of the latter, he was also the friend of Addison and Swift. His first year in the Government of New York and New Jersey was an anxious and trying experience. His management of affairs proved that he possessed in a very high degree the qualities of a good administrator. He showed himself patient and conciliatory in dealing with difficult groups of men. Fertile in expedients for solving a crisis, he was too wise to provoke one upon minor issues. When conciliation failed and firmness was needed, he did not hesitate to use the sternest measures. Before making up his mind, he was at pains to render himself familiar with every aspect of a problem. Once he had arrived at a decision, he was ready to impose his will without shirking the consequences. He knew when to act and when to hold his hand. In dealing with several critical situations which arose in these first years, he exhibited sound judgment, prudence and tact, and was evidently inspired by an honest determination to conduct his Government in the best interests of the Colony and mother-country alike.

Arrival in  
New York.

Settlement  
of German  
Protestant  
Refugees  
on Hudson  
River.

Like his predecessor, Lord Lovelace, Hunter had a long and stormy voyage to New York, where he arrived 14th June, 1710. The band of some 3000 destitute Protestant Refugees from the Palatinate of the Rhine, who accompanied him, suffered much from sickness on the voyage, and the loss of stores by wreck (271, 317, 362). In view of his subsequent treatment by the Treasury and the Refugees, it is important to observe the instructions he received from Sunderland as to carrying out his scheme for their settlement. That scheme had been revised and approved by Godolphin, the Lord High Treasurer (12, 13, 32, 71, 414).

No time was lost in surveying the Schoharie lands which had formed part of Col. Bayard's grant. These lands, however, had been restored to the Indians when Bayard's grant was resumed. They afterwards made a present of their title to the Crown (317, 414). But though said to be good agricultural land, this tract, being destitute of pitch-pine, was not suitable for the production of the Naval Stores which the Refugees were

under contract to manufacture (317). Hunter therefore purchased some land from Mr. Livingston and Mr. Fullerton, on both banks of the Hudson River, and was soon able to report that the Refugees were comfortably established in villages and in train to produce Naval Stores (413, 414, 487, 832). For here was pitch-pine enough to supply all Europe with tar (223, 261). Hunter's troubles, however, had only begun. The £8000 which had been allowed him was soon exhausted, and he drew bills on the Treasury for £4,700 more. Two year's subsistence at £15000 a year was still required before the land could be cleared and the trees tapped. After that, the settlement of Refugees would be self-supporting and begin to repay the capital which had been expended upon this enterprise. But although Hunter submitted his accounts to the Treasury and was a careful steward of the funds entrusted to him, the bills he drew were left unpaid. He was obliged to support the Refugees upon his own credit, or leave them to starve (414, 487, 640 i., 832, 833). Sunderland and Godolphin, it must be remembered, fell a few weeks after Hunter's arrival in New York (327, 497). Harley, St. John and Dartmouth ruled in their stead. Hunter's accounts, with the names and details of the recipients, are preserved (574).

Financial difficulties.

Before long, the minds of the settlers were disturbed by agitators, who from various motives (862, 863), persuaded them to abandon their undertaking to manufacture Naval Stores and demand to be transferred to the fat lands of Schoharie. Hunter endeavoured to reason with them. But so mutinous was their attitude, that he was compelled to march against them with a detachment of soldiers from the garrison at Albany, and to disarm them (862-864). The Refugees then settled down to work under the direction of Mr. Sacket, whom Hunter had appointed to instruct them in the process of manufacturing tar in place of Bridger, the Surveyor General, who refused to act unless his salary was increased (5, 640 i., 832, 863, 864). An Act for naturalising the Palatines without fee was refused by the Assembly "for no reason but that it was recommended to them" (*pp.* 288, 289, 486).

Revolt of the Refugees.

Quelled by Hunter.

Naturalisation.

Assembly  
votes  
inadequate  
supplies.

Such, indeed, was the general demeanour of the Assembly. Upon their first meeting, Hunter found them in "a very indifferent humour," but by his conciliatory attitude he endeavoured to bring them into a better state of mind. Amongst other Acts, they brought in an Excise Act whereby they insisted upon appointing their own Treasurer, instead of the Receiver General, to receive the money voted (414. *cf.* Barbados). They proceeded to vote a quite inadequate sum for the carrying on of the Government, appropriating their grants after cutting down the estimates severely, and they would only allow the Governor half the salary directed by the Queen's instructions (414, 487). When Col. Morris urged a reconsideration of that point, they expelled him from their House (487). Hunter gives an interesting analysis of their real and pretended reasons for this course of action. The misapplication of former Revenues was one of these. But they refused to accept Hunter's straightforward offer to insure against a repetition of this legitimate grievance (*p.* 258). One of the real reasons he gives is that since the payment of Members, politics had become a profitable trade and Assemblymen were anxious to secure re-election by "the popular argument of having saved the Country's money." He suggests a scheme for abolishing payment of Members, which was costing the country, for one session only, nearly half as much as they would vote for the support of Government for one year. "Then we shall have men of substance, sense and moderation for Representatives who come with a true intent to serve their country and not themselves" (*p.* 259). One of the chief motives for their conduct was a desire to be put upon the same footing as the neighbouring Charter Governments, which appeared to be exempt from the expences for which they were invited to raise a Revenue. Hunter pointed out that whilst Massachusetts Bay was at a charge of £20,000 a year at least for the defence of the frontiers, New York was defended by forces which cost the Queen at least an equal sum.

Their  
motives.

Retrench-  
ment of  
Governor's  
Salary.

The Assembly was determined to stretch its claim to privileges to the uttermost, whether against the Council or the Crown. One of their chief reasons for retrenching

Amend-  
ments to  
Money bills.

The  
Council.

Assembly  
dissolved.

Act for  
enacting a  
standing  
Revenue  
drafted.  
Conference  
with Five  
Nations.

New  
Jersey.

the Governor's salary was that they maintained that the Queen had no power to appoint salaries (*p.* 259). As for the Council, the issue which was being raised elsewhere in the West Indies, was joined here also. For the Assembly insisted upon making the Treasurer accountable to themselves alone, and once more refused to admit the right of the Council to make amendments to money bills. They took no notice of the Queen's letter in favour of Lady Lovelace's claim, and sent up a bill for reducing the fees of officers "so low that no officer could live." Hunter prorogued the Assembly, and was left, as before, to carry on the Government at his own expense (487, 517, 517 i.-v., 832). After making one or two suggestions for a way out of the *impasse*, he was forced to acknowledge that only strong measures from home would have any good effect. The Council were almost unanimous in their support of Hunter and the Queen's right (517). The Assembly met again in no better mood. The old hare was started again that they were dissolved by the Governor's proroguing them whilst he was in the Jerseys. They practically forced a dissolution, and Hunter was left to carry on with officers starving, the forts on the frontiers in ruin, no public money and all the expence of the Government and Garrison thrown upon his private credit. A new Assembly would be but a repetition of the last. Relief must come from home (832-834). The Council of Trade reported upon the whole situation (654 i.), and in accordance with an Order in Council thereupon, the draft of an Act of Parliament *enacting a standing Revenue for New York* was prepared (693, 725, 725 ii.).

Hunter had better success in dealing with the Five Nations in a Conference held at Albany (317, v. § 1).

In New Jersey the new Governor's Speech in Council had an excellent effect. His tact and moderation soon won over Col. Quarry and the Chief Justice, Mompesson, who were weary of the extremists in the Council. For here the position was the opposite of that in New York, the Assembly supporting the Governor, and the Council proving irreconcilable (288, 473, 832). By a sensible compromise, Hunter solved the first difficulty raised, which concerned the place of meeting of the General

- Place of Assembly. Assembly (223, 414). He had been instructed to reconcile the differences between the Council and Assembly, or, failing that, to report the true cause and cure. Reconciliation he found to be impossible. In his report, after describing the action of the extremists in the Council, who set themselves to hinder all business and pursue their quarrel with the Assembly, he gave his considered opinion that there would be no peace or quiet in the Province until the leaders of the party in the Council—the old supporters of Lord Cornbury—were removed (768 i., 823, 832). The case of the Assembly against them and the Secretary, Basse, is given (835 i.-xlii.), and Hunter's report upon the work of the session (832).
- Removal of extremists in Council proposed. Amongst the Acts sent up by the Assembly, but rejected through the tactics of the Council, was one for making good to Lady Lovelace the money which had been voted to the late Governor and then assigned to Lt. Governor Ingoldesby (119, 323, 644, 832).
- Lord Lovelace's salary. In obedience to his Instructions Hunter reviewed the Acts passed under the administration of Ingoldesby (832).
- Acts passed under Lt. Governor Ingoldesby. A curious situation arose through the loss of the originals of some Acts passed just before Lord Lovelace died. An Act was introduced for making the printed copies valid (644, 832).
- Originals of Acts lost. In the summer of 1710, William Penn approached the new Ministers upon the question of compensation for the surrender of his Government. He took occasion to intercede for liberty of conscience for the Friends and some hereditary mark of distinction for his own family. Correspondence then ensued in which the Council of Trade endeavoured to arrive at what might be regarded as a reasonable consideration for his services and sacrifices. They made their report in Feb. 1711 (473, 537, 633, 649 i.).
- Pennsylvania; Penn's surrender. Rhode Island's share in the Expedition is referred to above (*pp. ix.-xiv.*, and *see* 357, 357 i., 504).
- Rhode Island. The Earl of Orkney continued his absentee Governorship of Virginia, occasionally intervening or being consulted in the business of the Dominion (702). In Feb., 1710, Col. Alexander Spotswood, an officer who had been wounded at Blenheim, was appointed Lt. Governor.
- Virginia. Lt. Governor Spotswood.

Relations  
with  
Council  
and  
Assembly.

Capable and energetic, he devoted all his powers to the development as well as to the administration of Virginia. Arriving in June, he at once proceeded to business with the Council upon matters touched upon by his Instructions (349). He won their praises and those of the Burgesses without, as he says, any undue compliance with their humour to the prejudice of H.M. service (350, 555, 710, 710 i., ii., 711). With the first Assembly, however, he could make but little way. Like Hunter in New York, he found that their chief aim was to recommend themselves to the electors by opposing every measure that involved expense. They would neither provide for the defence of the country nor make good the treaty with the Tuscoruros which had been concluded at the instance of their own House. Spotswood was obliged to avail himself of the assistance of some of the Councillors for the latter purpose (638). The threatening attitude of the Senecas rendered this precaution doubly necessary. Spotswood asked that Virginia, Maryland and Carolina should be instructed to assist each other in the event of an attack upon any of them (638).

Proposal  
for mutual  
defence.

Method of  
granting  
lands.

Widespread confusion and discontent had been caused by the Instruction as to the new terms upon which lands were to be granted. These new terms were reasonable enough in themselves, and were, indeed, well calculated to prevent land lying waste on large grants with a view to unearned increment, but they perturbed those who had already received grants on terms less rigorous (53, 437. pp. 5, 6). One of the objections urged was that settlers would be tempted to migrate to other Governments where lands could be obtained on much easier conditions (p. 5). Spotswood demonstrated to the Burgesses that their grievance was much exaggerated. An Act of 1666 *for the granting of lands*, which was then in force and was open to the objection that it tended to bring all the ungranted lands into the possession of a few rich men, was repealed. The new Instruction was then the only rule for granting lands, and it was ordered to be passed into an Act (555, 670, 709, 755, 756, 812). In discussing this question, Spotswood showed practical foresight. He suggested that planters should be enticed to settle one side of James River by retaining the terms of the old

grants for that district. A line of settlements would thus soon be carried up to the source of that River and would threaten to cut the communications which the French were endeavouring to establish by way of the Lakes between Canada and their new Mississippi settlements (*pp.* 316, 317).

Exploration of Appalachian Mountains. In this connection he refers to a Company of Adventurers whom he had encouraged to explore the Alleghany Mountains. Their reconnaissance seemed to open up good prospects of trade with the Indians beyond (*p.* 317).

Rivers and parishes. In course of dealing with the problem of re-arranging parishes to meet the requirements of the growing Dominion, Spotswood directs our attention to a principle of early colonization, describing the influence of rivers in drawing the flow of settlers along their banks (437, 555).

Tobacco. From the very first he was keenly interested in the development of the country's resources. The heavy fall in the price of tobacco had been severely felt in Virginia. Whilst the war had closed or contracted many European markets, an excessive importation of negroes had led to the production of an excessive supply. For this reason it was hoped that the proposed tax on imported negroes would check their numbers (710). Many of the planters were in difficulties, and turned to growing flax and cotton and manufacturing their own cloathing, to the detriment of English trade. Tobacco, however, remained practically the only form of currency, so much so, that Spotswood feared it would prove a serious obstacle to the establishment of the General Post now contemplated (394, 437, 744). To turn the minds of the planters from the cultivation and manufacture of flax and cotton, and to reduce the surplus of tobacco, Spotswood proposed that the production of Naval Stores should be encouraged by accepting them as payment for the duties levied upon tobacco in England (744).

Naval Stores. He took an eager personal interest in the development of another industry. Iron mines, reported to be very rich, had been discovered at the Falls of James River. It was proposed that they should be worked by the State and the profits applied to defraying the expenses of Gov-

Iron Mines;  
Proposed  
working by  
State.

ernment. The Assembly, however, rejected the scheme (*pp.* 235, 317). Nor was the Council of Trade of opinion "that it would be of any advantage to this Kingdom that such an undertaking should be encouraged in the Plantations" (624, 911).

New  
Assembly.

In the election of the new Assembly, Spotswood reports "a new and unaccountable humour of excluding Gentlemen from being Burgesses" (*p.* 234). He reports on various laws (710), and especially that he had obtained a new Revenue Act free from the objections taken to the old one (*p.* 414).

Negro  
conspiracy.

Upon the whole the condition of the country was quiet, but a dangerous conspiracy for an insurrection of negroes was discovered and nipped in the bud. The ringleaders were executed, and a bill was brought in to prevent similar combinations. But the measures proposed were thought too severe, and the bill was thrown out (206, 263. *p.* 318).

Epidemic.  
Privateers.

The country suffered a good deal from an epidemic (206), and more from the visitations of privateers, which defied the heavier and slower sailing guardship among the shoal waters of the Capes. Guardships, too, were obliged to refit and re-victual at New York, thus leaving the coast unprotected. Spotswood therefore proposed the establishment of a victualling station at Point Comfort, whilst a sloop was hired for defence of the Province. Want of sufficient guardships also opened the way for illegal trade which was carried on from all quarters with Curaçoa and St. Thomas. Upon these considerations, a new sixth-rate was appointed to Virginia (21, 154, 208, 263, 349, 363).

Guardships.

Boundary  
Commis-  
sioners ;  
delay by  
Carolina.

Commissioners were appointed to settle the disputed boundaries with Carolina, as had been ordered (206, 263). Frivolous objections were made by the representatives of Carolina in order to avoid arriving at a decision (437, 437 iii., iv., 709, 709 ii.). The Council of Trade therefore proposed the appointment of new Commissioners with orders to report within six months (671). Fresh interruptions occurred in Carolina to Virginian trade with the Indians (*p.* 318).

Opinion  
upon Act  
for natural-  
isation.

The Solicitor General delivered an important opinion upon the Virginian *Act for naturalisation* (514).

## §3.

## THE WEST INDIES.

*(See also Section 1).*

The Bahama  
Islands.

The Bahama Islands were visited by H.M.S. *Enterprise* in the summer of 1710. Captain Smith reported them to be semi-derelict and almost defenceless against the plundering raids of the enemy. But no French settlement had been effected. On Harbour Island Capt. Thomas Walker kept the flag flying, and was confident that he would be able to resist the enemy. On Eleuthera and Providence Islands the few remaining inhabitants had sought refuge in the woods. The rest of the islands were deserted, owing to the frequent raids (421 i.).

Order for  
appoint-  
ment of  
Governor.

Following upon the report of the Council of Trade printed in the previous volume, orders were at length given for the appointment of a Military Governor and the defence of the Bahama Islands (69). That was in January, 1710. Nothing apparently was done. Seven months later a report of the Committee of the Privy Council was approved, and referred back to the Council of Trade to devise the best way of putting it into speedy execution (361). They repeated their proposals of former years, whilst pointing out that the situation had deteriorated with the lapse of time, and that a larger garrison and ampler stores and means of defence were now required. At their suggestion, a Royal Engineer was dispatched from Jamaica to make an estimate of what was needed for the fortification of Providence Island (394, 400, 405, 465, 507 i.).

Estimates  
for  
defence.

Barbados.  
Crowe  
delays his  
return.

In Barbados, the Governor, Mitford Crowe, continued to disregard instructions from home, and pursued his vendetta against the Secretary, Skene, and the three Councillers. The value of the address in his favour, obtained from the illiterate mob and militia is described in terms which remind one of Dr. Johnson's analysis of the signatories of a petition in his "False Alarm" (175 i., 235, 274 i.). It was only after considerable delay that he obeyed the summons to return and account for his conduct. He left the Government in the hands of

Lillington President of Council. George Lillington, President of the Council (149, 150, 221, 222, 276).

Quarrel between Council and Assembly. Revenue not voted. He reported that the country was in "a very divided and turbulent condition." The quarrel between the Council and Assembly immediately broke out afresh. Issue was joined upon the right of the Assembly to appoint a Treasurer, who, it was felt after the experience of the Paper Act, must be above suspicion. In spite of the conciliatory efforts of the President, and some concessions on the part of the Assembly, the Council refused to give way. The Excise bill was therefore thrown out, and the country remained without a revenue for many months. To counteract the effect of a representation by the majority of members of Council, the

Committee of Correspondence. Assembly appointed a Committee of Correspondence to present their side of the case in the dispute (201, 264, 264 i.-v., 296, 332, 379, 384, 385, 459, 623, 655). The question was carefully weighed at home. Both the Council of Trade and the Law Officers of the Crown reported in favour of the Assembly (377, 386, 402 i., 403, 406, 407).

Decision in favour of the Assembly. The President of the Council was accordingly instructed to pass the Excise Bill with a Treasurer appointed by the Assembly, and this was done (679). The decision arrived at was largely based upon a consideration of the established usage (402 i.).

Accounts and returns. Lillington sent home various accounts, and returns of christenings, burials and causes depending for 1710 (332 i/f., 379 i.).

Robert Lowther, Governor. Instruction as to Patent Officers. Robert Lowther was appointed Governor in place of Crowe in July, 1710 (316). But nearly a year elapsed before he reached Barbados (901). His Instructions included a particular direction to take care that no encroachment was permitted upon the rights and perquisites of Patent Officers. This instruction arose out of the repeal of the Act concerning the appointment of marshals and the complaints of Skene and Gordon. A new Act fixing the salaries of Judges and restoring the fees of patent officers was ordered to be passed (99, 131, 134, 354 i., 577, *and see* §1).

Tobago. There is an echo of the project of settling Tobago which "fell by the death of" King William, in a petition by Capt. Edward Cowley for compensation for his losses

in connection with that undertaking (193 i., 223, 248, 269).

**Bermuda ;  
Mutiny  
and  
Epidemic.** Little of importance is reported from Bermuda except a plot amongst the soldiers to kill the Governor, run away with a sloop and "goe a pirateing." Rumours of a raid caused Bennett to ask for an increase of the garrison (897). His replies in the case of the *St. James* sloop and to enquiries as to illegal trade indicate the course of trade from Bermuda (567, 568 i.-iv. *etc.*). An epidemic which raged there is described (266-268, 521, 566, 567, 897).

**Jamaica.** Jamaica, too, was troubled by outbreaks of small-pox and other sickness (170, 182, 530, 843).

**Privateers  
and  
duties on  
prize goods.** The Island was pestered by French privateers (170, 258 *etc.*), though the country fitted out sloops to act as guardships in addition to the Naval squadron, and the Governor reports that "when ours meets with them, they commonly dust their dublitts" (170, 253). The English privateers, however, were much discouraged by the duties on prizes and prize goods, which, under the Act intended to encourage the trade to America, did in effect exceed the intrinsic value of the captures themselves (170, 170 i.-iii., 219). The result was an exodus of seamen from Jamaica. Indignation was felt with the Collector, Peter Beckford, jr., who exacted payment of these duties, but the Commissioners of Customs upheld his action. It was found necessary to amend the Act (220, 239, 543, 543 iii., 588, 625), and whilst the authority of Parliament was being obtained, the new Governor was empowered to give a promise to the Assembly to that effect (341 i., 369, 570).

The report that a French squadron had sailed for the West Indies caused some apprehension for the safety of Jamaica where the Naval Squadron was now very weak (133, 182, 218, 277, 843, 857). The desirability of reinforcing it was considered (239, 284, 289, 291). It was still incapable of putting to sea without the aid of soldiers from Brigadier Handasyd's Regiment (170, 172, 253, 313, 514, 772). Besides watching in vain for the Spanish flotilla (*v.* §1), it was sent to cruize off the Spanish main, with the object of preventing French ships from

Trade with Spanish Main. trading there and French privateers from interfering with Jamaican traders (313, 415). But the competition of French goods in the South Seas (253, 738) caused that trade to languish (253, 738, 866).

The Assembly and Council. The meetings of the Assembly were accompanied by a good deal of heat owing, first, to the discontent caused by the duties on prize goods, and, secondly, to the influence of the "firebrand" Totterdale, and a dispute with the Council as to their right to amend a money-bill (137, 866).

Partiality of Juries. Handasyd echoed the complaint of other Governors as to the partiality of Juries, which were as loath to convict a fellow-planter of a murder or felony as to bring in a verdict in favour of the Crown (262).

Handasyd succeeded by Lord A. Hamilton. In compliance with his oft-repeated request, Handasyd was at length relieved, and Lord Archibald Hamilton appointed in his stead. Sailing nine months later with the convoy for the West India trade fleet, he was instructed to hold an enquiry on his way at Antigua into the murder of Governor Parke and the condition of the Island (303, 305, 409, 750, 807).

Leeward Islands. For the long standing and bitter feud between the Planters and the Governor of the Leeward Islands had ended in the savage and deliberate murder of the latter by the Antiguan in arms. Space cannot be spared for analysing in detail the numerous accounts of that culminating event which are included in this volume. But attention may be drawn to certain facts which emerge. The murder of Lt. Governor Johnson, and the acquittal of his murderer and several others by their fellow-planters, as well as repeated attempts at assassinating Parke himself, point to the lawless and violent atmosphere which prevailed (391, 483). The murder was, indeed, anticipated upon the London Exchange (677). Nor was it the result of a sudden outbreak of individual violence. It was the deliberate act of the Assembly and people rising in arms, after prolonged altercations and repeated warnings (821). Assassination of a representative of the Crown, even by people justly provoked by a sense of personal wrongs and real or imaginary

political grievances, is not to be condoned or excused. But that Parke's temper and behaviour were calculated to madden a rough and lawless body of men is beyond gainsaying.

Parke and  
the L. I.  
Regiment.

The intense hatred which the man inspired is revealed not only by his relations with Col. Codrington and his party, and the planters in general, but also in his quarrel with Col. Jones, the Commanding Officer of the Regiment stationed at the Leeward Islands. The discipline of the Regiment was undermined by their feud. Whilst on behalf of the soldiers Parke had forwarded petitions for their arrears of pay and clothing (204, 204 i., 228-230), complaints were received that he encouraged them to commit outrages upon those who had brought charges against him. Sunderland sternly ordered an enquiry (169). Col. Jones proposed to punish some of the delinquents. But Parke interfered to protect them (324 ff., 329, 516).

Parke  
recalled.

In Feb., 1710, Parke was recalled, to answer before the Queen in Council the charges laid against him. He was ordered to return home on the first man of war sailing after depositions had been taken and exchanged (106, 125). He affected to welcome the opportunity of exposing his enemies. But he protested against the Court of Inquisition, as he termed it, for taking depositions (260, 344). Lack of support from home, he declared, was the cause of all his troubles. His opponents, who had made three attempts to assassinate him, were a pack of Round-heads, a "Calves Head Club," who were determined to encroach upon the Prerogative of the Crown. His insistence upon maintaining that Prerogative and suppressing illegal trade was, he averred, his real sin in their eyes (161, 228-230, 391). When the Trade Fleet sailed, Parke did not sail with the man of war which convoyed it. His enemies, he explained, had, by a trick, given him no time to answer their faked depositions (324, 330, 344, 783 iii. ff.).

His return  
delayed.

His reply to  
charges.

The Governor's reply to the Articles of Complaint lodged against him was drawn up by Andrew Boulton (391, 809). In it the Articles are answered point by point. To many of them, his reply is good. He demonstrates that in some of the proceedings urged

against him, he was merely following his Instructions. When he found juries would not convict their fellow-planters for brutal murders, he had done his best to secure Justice. As for the Assembly, "they squeak for their privileges," and pretend that their constitution is invaded, when their real object is to engross the whole Prerogative of the Crown. He was, indeed, upon firm ground in refusing to admit their claim to the "negative voice" in legislation. For the Council of Trade upheld the Governor in that controversy. "Their pretending to assume the right of their Speaker's signing last will never be allowed here" they asserted; it was an undutiful attempt upon H.M. Prerogative (62, *p.* 192).

The complaint as to his fortifying St. Johns touched Parke as a soldier. He writes with acid contempt of the planters' military arguments and of their behaviour under arms (*pp.* 194, 195). As to his arbitrary actions in the Court of Chancery, that accusation, he retorts, arose from his impartial decisions without regard to the status of the litigants. If his judgments were faulty, why did they not appeal?

The fact was, that they held it "abominable and without precedent that a stranger that came out of England should recover his money from an inhabitant" (*pp.* 196, 197. *cf.* Jamaica, *supra*). As to the charge of turning out the Chief Justice, Mr. Watkins was not turned out, but resigned. In any case, he was not a very fit person to try criminals, since his hands were stained with the blood of an unarmed man (*pp.* 199, 200). Parke returned to his favourite thesis of the evil of *latifundia*, pointing, with his eye no doubt upon Codrington, to the rich men who, by means of the Act of 1698, combined to engross the land and forced small landowners off the Island (*pp.* 196, 197). Chester's stories he dismissed as the outcome of malice due to his continually checking him in illegal trading (483, *p.* 200), (omitting, of course, to mention his own relationship with Mrs. Chester, which was made sufficiently evident by his will). The charge of assuming the power to dispense with the powder Act was brought by the very men who petitioned him to do so in accordance with an Address by the whole Council and Assembly (*p.* 201). Parke concluded by reciting evi-

dent signs of the increased prosperity of the Islands under his administration (*p.* 205), and remarking that the accusations of his "leading a lewd life and conversation" were brought by those very Codringtons and Perries who themselves starved the Clergy, lived in open adultery and owned a mongrel, sooty race of bastards (*p.* 206).

The Tory  
Ministry.

Such was his defence. But before this document had left the Leeward Islands an event occurred at home which probably signed his death-warrant. Sunderland fell. The success of the Tories was complete.

Parke  
changes his  
tone.

The reactions of the English political situation upon temper and events in the Colonies were swift and sure. Parke himself reported that the attitude of the Assembly was attuned to the latest news from England. It was rumoured that he was put out and, says he, the Assembly was truculent; that he was confirmed, and they were ready to come to terms. So now, when Dartmouth succeeded Sunderland (327), his own confidence suddenly revived. It was his turn to be truculent. He writes bitterly of the fallen Minister who had rapped his knuckles so severely, and stopped his promotion in the army. Now he looked to Dartmouth for protection and favour. He applied to him for the Lord Lieutenancy of Middlesex and Hampshire, and proposed to stand for Parliament on his return home. He rejoiced that the Episcopal Church "was like to be trumps." His enemies were Scotch Cameronians and Presbyterians, whilst he himself was no Republican. That was why they had found favour in Sunderland's eyes (230, 390, 484). (Sunderland had been a theoretical enthusiast for Republicanism, but with Halifax disclaimed it in this year.<sup>1</sup>) His enemy, Codrington, too, was dead, and had had the mortification of leaving a "Volpone" will (228). In this new humour one of Parke's first steps was to suspend Col. Jones (347). Surrounding himself with a chosen bodyguard from the Regiment, whom he encouraged to bully and outrage the inhabitants, he faced the enraged and disappointed planters of Antigua (674 i.-iv., 783 iv. *etc.*). As the impression grew that Parke would not now leave his Government, the Antiguans grew desperate. A wild and most improbable rumour spread that the Governor

Suspends  
Col. Jones.

Antiguans  
grow  
desperate.

<sup>1</sup> Macpherson, Orig. Papers, ii. 202. Quoted D.N.B.

was proposing to turn traitor and to hand over the Island to the French. In the heated atmosphere prevailing anything would be believed. Parke was invited by the Assembly and advised by the Council to quit the Island (623, 623 ii., 674 ii.-iv., 677 i.).

Whatever his faults, cowardice was not one of them. He refused to surrender the Queen's Commission, but surrounded himself with his guard, fortified his residence, received the Sacrament and prepared himself for the end which was now seen to be inevitable (589, 674 *etc.*).

Murder of  
Governor  
Parke.

Details of the final tragedy on Dec. 7, 1710, and the steps which led up to it are given in the several conflicting accounts which reached London from March onwards (589, 623, 674, 674 i.-vi., 677, 677 i., 683, 783 ii.-iv., 809, 827, 838). Parke was savagely killed and barbarously mutilated, after he had killed Capt. Piggott in an interchange of pistol-shots (683, 809). Some of the soldiers of his guard were murdered in cold blood, after quarter given (683 *etc.*). Parke's papers were seized. Some of them were destroyed. Others were published, revealing his intrigues with wives and daughters of the planters (674, 677 i., 683), which may account for the brutality of the murderers.

His papers  
seized.

Enquiry  
shirked.

The Lieutenant General, Walter Hamilton, was immediately summoned from St. Kitts. He called a General Assembly of the Leeward Islands to enquire into the circumstances of the murder (674 ff., 809). Some refused to attend on the ground that they were liable to be murdered, if their verdict should be unpopular. There followed a general conspiracy of silence and an endeavour to hush up and gloss over the atrocity of the crime (783 ii. ff., 809). Hardly any witnesses appeared in response to a Proclamation inviting evidence. The General and Council therefore contented themselves with declaring that "the generality of the inhabitants were concerned therein." This, indeed, was evidently the case (783 ii.). Hamilton concurred with the general attitude, which was to suggest an act of oblivion and indemnity (782, 809). The course of events in Antigua after the murder is illuminating. Apart from the suppression or perversion of evidence, Parke's supporters were bullied and intimidated (677, 821 i., 837, 899).

Place of  
burial.

Threats were uttered that, if any of the guilty were punished, the country would rebel and go over to the French (623, 683, 899). The references to Parke's burial-place are of particular interest. No trace of it has hitherto been found, and it has been suggested indeed that it was purposely concealed. (v. Aspinall, *West Indian Tales of Old*, p. 49). But we now learn that he was handsomely buried by the Lt. Governor in the Church, after the consent of the Assembly had been with difficulty obtained. The Church of St. Johns was destroyed by an earthquake in 1843, and replaced by the present Cathedral (623 ii., 683).

Effect in  
London.

The Council refused to hire a vessel to dispatch the news of the murder. It was not, therefore, until the following March that the news reached London. It came first from Montserrat and Barbados (589, 623, 674, 730).

Major  
Douglas  
appointed  
Governor.

Thereupon the Committee of the Privy Council conferred with the Council of Trade (735). Ministers had to decide between practically condoning the murder of an officer with whom little sympathy could be felt, but who represented the authority of the Crown, and risking disorder and perhaps rebellion by punishing the offenders. Hamilton, who had been appointed Lieutenant General during Parke's absence, was directed to keep order and await instructions (146, 743, 782). Major Walter Douglas was appointed to the Government and ordered to proceed to the Leeward Islands without delay with the convoy which was about to sail (758, 802, 823).

Commission  
for trial  
and pardon  
of rioters.

After consulting with merchants and planters in town, the Council of Trade formulated some proposals for dealing with the situation. They suggested that Lord Archibald Hamilton, who was then about to sail with the West India Trade fleet for his government at Jamaica, should first proceed to Antigua and there, in conjunction with the Commodore of the convoy and Lt. General Hamilton, hold an enquiry on board the flag-ship. If necessary, forces were to be landed to restore order. As for punishing the chief offenders, no good result could be expected from a trial in Antigua. The ring-leaders, with evidence and witnesses, should therefore be sent over for trial in England under the Act of 35th Hen.

VIII. *for the trial of treasons committed out of the King's Dominions* (750). In accordance with these proposals, an additional Instruction was given to Governor Douglas to grant a general pardon to all offenders on account of the late rebellion, with the exception of a number not exceeding six and not less than three of the most notoriously guilty, whom he was to bring to trial at Antigua, or, if he found good reason to believe that Justice was not like to be had there, to send them over into Britain with witnesses. This Instruction was afterwards converted into the form of a Commission (764, 764 i., 767, 774-776, 792, 794, 795, 800, 806).

The details now published correct in several important particulars the article on Parke in the *Dictionary of National Biography*.

Instructions  
to Douglas.

Whilst warning Governor Douglas to maintain the Prerogative of the Crown in the matter of the "negative voice," the Council of Trade invited him to report upon the usage of signing Acts. He was also recommended to advise the appointment of an Agent and the passing of a new Act for establishing Courts in place of that repealed in 1708 (791).

General  
Assembly  
at  
St. Kitts.

Parke had called a meeting of the General Assembly at St. Kitts for Feb., 1710. Representatives from Nevis and Antigua failed to appear. The Assembly was soon involved in a quarrel with the Governor over the right to appoint their own officers, and no business was done (152, 161, 171, 204, 228, 520).

Threatened  
attack from  
Martinique.

The riot or rebellion in Antigua and the defenceless condition of the Leeward Islands owing to lack of measures for defence and munitions of war, invited an attack by the enemy. Preparations were indeed made for a raid from Martinique and Guadeloupe. The steps which were successfully taken to frustrate it are referred to above, §1. (750, 868, 877, 877 ii.-iv., 891, 891 i., 897, 897 ii., 899, 901, 904).

Raids on  
Montserrat.

In January, 1710, Montserrat successfully repelled a raid by a large squadron of privateers (105), as also a minor attack in the following spring (782). An attack by a large force was reported to be imminent in April. The Lt. General with only one man of war at his disposal, and no public funds, was in a quandary as to how to

relieve them, the Antiguan's not being disposed to help neighbours who neglected to adjust their accounts (*p.* 448). The enemy, headed off from their design upon Antigua by the engagement with *Newcastle*, landed a force of 1200 men upon Montserrat at midnight on June 11th. They were held up by a party of planters at the entrance of a pass and retreated with loss. Their retirement was hastened by the dread of the activity of the men of war (904).

Privateers  
and  
Guardships.

Privateers were, indeed, "as thick as bees" about the Leeward Islands and Hamilton, like his predecessors, pressed for an increase of guardships (782, 868).

Capt.  
Berming-  
ham raids  
Barbuda.

One of the most sinister and active of the enemy privateers was Capt. John Bermingham. This renegade Irishman, after serving as Commander of several flags of truce from Antigua to Martinique, entered into the service of the French, and besides inspiring them to attack the Leeward Islands, himself raided the Codringtons' property on Barbuda (782, 824).

St. Kitts :  
Dispute  
over Money  
Bill.

The Council and Assembly of St. Kitts came to loggerheads over a Revenue Bill. To raise money for repair of the fortifications and support of Government, the Assembly laid a duty upon sugar. Claiming for their House the sole right of granting money, "contrary to the ancient usage of the Leeward Islands," they refused to admit any amendments by the Council to a money bill. By insisting that the Treasurer should be accountable either to the Governor, Council and Assembly, *or either of them*, they challenged the Queen's express Instructions (690). The Governor was thereupon ordered to recommend to them the passing of a Revenue Act not liable to the objections which had caused the former bill to be dropped, or derogating "from the just and undoubted rights of the Imperial Crown." An Act of 1704, *for the Treasurer's receiving and paying the publick stock*, was repealed for similar reasons (520, 520 ii., 690-692).

Act  
repealed.

St. Kitts :  
Retention  
of  
French part  
urged.

In the course of the negotiations for Peace opened in 1709, it had been proposed that the *status quo ante* should be restored in the West Indies. But the necessity of retaining the French part of St. Kitts was now urged (336, 810 i.).

The Virgin  
Islands.

Capt.  
Walton's  
proposal.

The Instructions of the Governor of the Leeward Islands required him to assert the British sovereignty over the Virgin Islands. It had been customary for him to appoint a Lieutenant Governor there. In the spring of 1711 Capt. Walton submitted a description of the Islands in this group, emphasising their possibilities and pointing out that the administration of them had hitherto been very lax. He proposed that they should now be formed into a separate Government. This step would encourage their development, besides putting an end both to clandestine trade and the pretensions of the French, Dutch and Danes. He asked to be appointed Governor or Proprietor thereof, in return for his services and expenses as Lt. Governor. In support of his claim he produced his Commission signed by Governor Parke in 1707. Objections were raised, to which he replied. But the Council of Trade, in view of those objections, which concerned the Leeward Islands, and because any such settlement would necessitate the establishment of a naval and military force, suggested that the respective Councils of the Leeward Islands should be consulted as to the desirability of it. In the meanwhile, they proposed that the new Governor of the Leeward Islands should be directed to take care to observe his Instructions for asserting the King's sovereignty and preventing the subjects of any foreign Prince from settling in any of these Islands except St. Thomas. They also proposed that he should report upon the soil, products and conveniences for trade there, and upon the number and condition of the present settlers (601, 705, 731, 740, 801, 813 i.).

Newfound-  
land :  
Capture of  
St. Johns.

Major  
Lloyd.

From Newfoundland came several accounts of the recent capture of St. Johns. They constitute a sorry tale of treachery, negligence and cowardice (180, 190 i., 528 iii., vi.). Complaints were also lodged against Major Lloyd for trading, embezzling H.M. stores, and hiring out soldiers of the garrison (620, 628). Lloyd was now dead. But orders were given for stopping any pay that might be due to him (689).

Annexation  
demanded.

The importance of the Newfoundland Trade and Fishery was pressed upon Ministers by the merchants of Bristol and Bideford, and by the Council of Trade. In

view of peace negotiations, they urged the desirability of annexing the whole country and the adjacent islands and banks (227, 244, 250, 250 i., 252).

Recovery  
in the  
Fishery.

Upon enquiry from the Admiralty as to the force of convoy needed for 1710, opinions were invited from the various out-ports concerned. Their answers, and the returns by the Commodore show a considerable revival in the Fishery after the recent disaster (56, 63, 74-80, 109, 511 i., ii., 558 iv.).

Convoys  
and  
Defence.

James Campbell, however, insisted that defence at land, by a regular force, summer and winter, was needed as well as a strong convoy. He emphasized the advantage to be derived from a settlement both by the Fishery and British manufacturers (85). He, in common with others, also proposed that the fortification of St. Johns should be abandoned and that Ferryland, as a more suitable position, should be fortified in its stead. The pros. and cons. of this suggestion were carefully weighed (85, 87, 88, 524, 528 i., 529 i., 549, 553). The Council of Trade finally reported in favour of it, in a representation upon the whole state of affairs at Newfoundland, a report which was repeated in greater detail at Lord Dartmouth's request towards the end of the year 1710 (139, 528, 558 i.). The matter was then referred to the Board of Ordnance (560 i.-iii.).

Proposal to  
fortify  
Ferryland  
instead of  
St. Johns.

Board of  
Trade  
Reports.

Critical  
condition  
of the  
Inhabitants.

In the mean time the inhabitants of St. Johns had held the place for one anxious winter, and had been persuaded to attempt to do so for another by their Governor, Collins. But they gave a plain warning that, unless forces were sent to their aid from home, they would be obliged to quit the country (511 iii.). Their circumstances were indeed critical (85).

Commo-  
dore's  
Instructions.

When the time came for despatching the convoy of the Fishing Fleet in 1711, it was not known what the condition of affairs might be at Newfoundland. But it was decided to give the usual Heads of Enquiry to the Commodore (720). It had been found that the Act *to encourage the trade to Newfoundland* remained in some respects a dead letter, owing to there being no penalty provided in it for infringement of its provisions. The Commodore was therefore now empowered, by an

Powers of  
Punish-  
ment.

additional Instruction, to punish offences against the Act at Newfoundland according to the custom of the place, and, in cases which could not be redressed there, to forward the names and offences of delinquents for trial at home (558 i., 815).

Representa-  
tions by  
the Council  
of Trade.

The most important of the Representations of the Council of Trade in these pages are, on the African Trade 632 i.; on Naval Stores, 127 i., 745; on Newfoundland, 139, 558 i.; duties on prize goods, 239; duties on iron and steel, 621 i.; on the dispute in Barbados, 377; on the Bahama Islands, 405; on New York, 640 i., 654 i.; on Pennsylvania, 649 i.; on the Leeward Islands, 690, 750, 813 i.

A peculiar form of the expression "to knock under" (=knuckle under), occurs on *p.* 157, "*knock under the table.*"

CECIL HEADLAM.

*January 25, 1924.*

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The documents calendared in the following pages are included in the volumes preserved at the Public Record Office and listed as follows :—

C.O. 5, 3 ; 5, 4 ; 5, 9 ; 5, 10 ; 5, 11 ; 7, 1 ; 5, 210 ; 5, 289 ; 5, 290 ; 5, 536 ; 5, 717 ; 5, 720 ; 5, 721 ; 5, 727 ; 5, 751 ; 5, 865 ; 5, 898 ; 5, 913 ; 5, 931 ; 5, 970 ; 5, 995 ; 5, 1049 ; 5, 1050 ; 5, 1084 ; 5, 1091 ; 5, 1122 ; 5, 1230 ; 5, 1231 ; 5, 1233 ; 5, 1264 ; 5, 1292 ; 5, 1316 ; 5, 1341 ; 5, 1335 ; 5, 1337 ; 5, 1341 ; 5, 1363 ; 23, 48 ; 28, 13 ; 28, 38 ; 28, 43 ; 29, 12 ; 29, 13 ; 37, 9 ; 37, 26 ; 37, 28 ; 37, 51 ; 38, 6 ; 38, 7 ; 42, 13 ; 116, 21 ; 137, 8 ; 137, 9 ; 138, 13 ; 137, 45 ; 137, 51 ; 152, 9 ; 152, 39 ; 152, 42 ; 153, 10 ; 153, 11 ; 194, 4 ; 194, 5 ; 194, 22 ; 194, 23 ; 195, 5 ; 217, 31 ; 218, 1 ; 314, 1 ; 318, 3 ; 319, 1 ; 323, 6 ; 323, 7 ; 324, 9 ; 324, 31 ; 324, 32 ; 388, 12 ; 388, 13 ; 388, 14 ; 388, 76 ; 389, 21 ; 389, 36 ; 389, 37.

# COLONIAL PAPERS.

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1710.

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1710.  
Jan.-April.   **1.** Permits for 10 ships to sail without convoy. [*C.O.* 5, 210. *pp.* 190, 194, 196, 204, 207.]
- Jan. 2.       **2.** Mr. Baber, Secretary, Mr. Comperc, Receiver General and Mr. Wynter, Register of the Court of Chancery, Jamaica, to the Council of Trade and Plantations. Petition against the Act for regulating fees as prejudicing the rights and interests of their offices, and intended to make them rather dependent upon the planters than upon H.M. *etc.* Signed, John Baber, Leonard Comperc, Arth. Wynter. *Endorsed*, Recd. 2nd, Read 20th Jan. 170<sup>9</sup>/<sub>10</sub>. 2 *pp.* [*C.O.* 137, 8. No. 75; and 138, 13. *pp.* 84-86.]
- Jan. 3.  
Whitehall.   **3.** Council of Trade and Plantations to the Earl of Sunderland. *Report upon the complaints against Mr. Jones, Secretary etc. of the Bermuda Islands. Summarize evidence given B. of T. Journal, May 9, 10, 16, 1709. q.v. Conclude:—*We desire to know H.M. pleasure whether we are to allow the defendant to enter into the merits of the Articles laid to his charge, and in order thereunto to produce evidence to disprove the facts contained in the judgments and convictions against him, or whether the same are to be conclusive proofs of his guilt as to those articles. And in case H.M. shall not think fit to allow such averment to be made by the defendant against the said judgments and convictions, whether the Governor shall be directed by H.M. to allow the said Jones to appeal to H.M. in Council from the said judgments *etc.* We desire your Lordship to receive and signify H.M. pleasure as soon as conveniently may be, till when we cannot proceed further in the hearing the said complaints. And the said Jones declining to proceed upon the several articles of complaint by him exhibited against the Governor till he has first been allowed to defend and justify himself against those wherewith he is charged, in regard that some of the articles in those several complaints do relate to and depend one on the other, if H.M. shall think fit to allow him an appeal as is before mentioned, it will in our opinion be convenient that he be obliged to bring and effectually prosecute such appeal within a reasonable time in order to his making a further defence to the rest of the articles exhibited against him if occasion be, and that he may prosecute his charge against the said Governor, who is ready to come to a hearing and justify himself against what is laid to his charge. *Autograph signatures.* 6 *pp.* *Enclosed,*

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3. i. Copy of petition of the Council, Assembly, Judges, Justices of the Peace, Clergy, Officers Civil and Military and other inhabitants of Bermuda. Exonerate the Governor from Mr. Jones' charges, and pray that Mr. Jones may not be restored. *Signed*, Anthony White, Michael Burrows, Benj. Hinson, Tho. Brooke, Members of Council; 29 members of Assembly and 425 others (*some repeated*). 11 pp. [*C.O.* 37, 26. *Nos.* 17, 17 i.; and (*without enclosure*) 38, 6. pp. 477-482.]
- Jan. 3. **4.** Custom House Officers at Sandwich to Mr. Popple. Custom House, Sandwich. Enclose following. *Signed* Jeff. Haford, Benj. Fisher. *Endorsed*, Reed. 6th, Read 20th Jan. 170 $\frac{9}{10}$ . *Addressed*.  $\frac{1}{2}$  p. *Enclosed*, 4. i. Account of boats trading to Newfoundland from Sandwich, Dec. 25, 1708-9, Nil. *Signed as preceding*.  $\frac{1}{2}$  p. [*C.O.* 194, 4. *Nos.* 102, 102 i.]
- Jan. 3. **5.** The Queen to John Bridger, Surveyor of Woods in America. St. James's. Upon notice received from Governor Hunter, you are to repair to the immigrant Palatines in the Province of New York and instruct them in working Naval Stores, etc. *Countersigned*, Sunderland. [*C.O.* 5, 210. pp. 188, 189.]
- Jan. 4. **6.** Mr. Owen to the Council of Trade and Plantations. Recommends Mr. Berwick as a gentleman of probitye and great concerns of his own, etc. cf. July 27. *Signed*, Wy. Owen. *Endorsed*, Reed. Read Jan. 4, 170 $\frac{9}{10}$ .  $\frac{3}{4}$  p. [*C.O.* 28, 13. No. 5.]
- Jan. 4. **7.** Mr. Popple to Mr. Burchett. Encloses extract of Col. Whitehall. Jennings' letter, Oct. 8, 1709, relating to a sloop to attend Virginia. [*C.O.* 5, 1363. p. 36.]
- Jan. 4. **8.** Council of Trade and Plantations to the Queen. Whitehall. Recommend for H.M. approval an Act of Jamaica, April, 1709, to enable trustees to sell part of the estate of George Ivy (=Joy). [*C.O.* 138, 13. pp. 78, 79.]
- Jan. 5. **9.** Lords Proprietors of Carolina to Governor Tynte. Craven House. Whereas it does manifestly appear that great abuses and wrongs have been done against ourselves and to the prejudice of our said Colony by making exorbitant and illegal grants of the lands far exceeding and contrary to our Commission and Instructions to our Governors and Officers, we, being resolved to remedy the same, do order and agree that from henceforth no lands shall be sold by any of our Agents to any person whatsoever except by our immediate Order, but if any persons shall be desirous to buy land in our Province, you are to inform them that if they or their Agents shall apply themselves to our Board, they shall have warrants for such lands as shall be agreed for. *Signed*, Craven Palatin, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. p. 236.]

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[? Jan. 5.] **10.** Same to Mr. Mitchel. We having nothing in our minds  
Craven House. so much as that our Province of Carolina in America shou'd  
flowrish and prosper, and being fully satisfied that nothing can  
more effectually contribute to the same than the increasing and  
augmenting ye number of inhabitants and planters, we have  
therefore thought fit to comply with your request, and inform  
you under our hands on what condition and for what price the  
land will be sold in our Province aforesaid. Any person that  
shall make application by himself or his Agent to us at our  
Board may purchase land in yt. Province at the rate of £20 for  
every 1000 acres and 10s. for the said 1000 acres to be paid every  
year to us, the sd. Lords Proprietors and our Heirs for ever as  
a quit-rent for the same, and such person as shall agree for any  
land, and pay his purchase mony for it at our Board aforesaid,  
shall immediately have a warrant to our Governor and Surveyor  
Genl. to admeasure and sett out so much land, and that upon  
his or his Agents arrivall in Carolina possession shall be delivered,  
*etc. Signed as preceding.* [C.O. 5, 289. p. 237.]

Jan. 5. **11.** Order of Queen in Council. Confirming Act of Jamaica  
St. James's. to enable trustees to sell part of estate of George Ivy (=Joy),  
*etc. Endorsed,* Reed. 3rd, Read 15th Feb. 170 $\frac{9}{10}$ . 1 $\frac{3}{4}$  pp. [C.O.  
137, 8. No. 76; and 138, 13. pp. 87-89.]

Jan. 7. **12.** The Earl of Sunderland to Governor Hunter. It is  
Whitehall. H.M. pleasure that you pursue the method recommended by the  
Council of Trade for employing the 3000 Palatines in New York,  
*etc. Signed,* Sunderland. [C.O. 5, 210. p. 190.]

Jan. 7. **13.** The Earl of Sunderland to the Council of Trade and  
Whitehall. Plantations. H.M. is pleased to approve your report of Dec. 5th,  
relating to the Palatines for New York, and I have written to  
Col. Hunter accordingly *etc. Signed,* Sunderland. *Endorsed,*  
Reed. Read Jan. 11, 170 $\frac{9}{10}$ . 1 p. [C.O. 5, 1049. No. 149;  
and 5, 1122. p. 141.]

Jan. 8. **14.** The Queen to Governor Hunter. Warrant for restoring  
St. James's. Thomas Walters to his former place in the Council of New  
York, in the room of Thomas Wenham, decd. *Countersigned,*  
Sunderland. [C.O. 5, 210. p. 191.]

Jan. 8. **15.** Same to same. Warrant for restoring Lewis Morris  
St. James's. to the Council of New Jersey. *Countersigned,* Sunderland.  
[C.O. 5, 210. p. 192.]

Jan. 8. **16.** Same to Same. Warrant for removing William Peartree  
St. James's. from the Council of New York, for acting contrary to the Act  
*for encouraging the trade to America,* and appointing Dr. William  
Staats to his former place in the Council. *Countersigned,*  
Sunderland. [5, 210. p. 193.]

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Jan. 9.  
Whitehall.

**17.** W. Popple to Mr. Burchett. H.M. having directed the sending of new seals to the Plantations, the Council of Trade and Plantations desire to know if there be any of H.M. ships of war going to Jamaica, Barbadoes and the Leeward Islands, whether their Captains be in town, and how the seals may be most properly delivered to them, etc. [*C.O.* 324, 9. *p.* 421.]

Jan. 11.  
Admiralty  
Office.

**18.** Mr. Burchett to Mr. Popple. The Convoys to the Plantations are not all yet settled, but are designed to rendezvous at Spithead, etc. Therefore it may be proper for you to send the new seals to Portsmouth, etc. *Signed*, J. Burchett. *Endorsed*, Reed. Read Jan. 12, 170<sup>9</sup>/<sub>10</sub>. *Addressed*. 1 *p.* [*C.O.* 28, 13. No. 8; and 29, 12. *p.* 72.]

[Jan. 11.]  
Windsor.

**19.** The Queen to Governor Crowe upon Mr. Bentley's petition. Aug. 20, 1709. *cf.* July 18, Aug. 8, 1709. *Counter-signed*, H. Boyle. *Endorsed*, Reed. Jan. 11, 170<sup>9</sup>/<sub>10</sub>. *Copy*. 2<sup>1</sup>/<sub>2</sub> *pp.* [*C.O.* 28, 13. No. 7; and 29, 12. *pp.* 68-70.]

Jan. 11.  
Whitehall.

**20.** Council of Trade and Plantations to the Earl of Sunderland. *Reply to* Dec. 28. There was no vacancy in the Council of Barbados at the time we received your letter of July 27, nor is there yet, etc. We minuted Mr. Berwick to be considered when any vacancy should happen, and have no objection to him, etc. [*C.O.* 29, 12. *p.* 71.]

Jan. 11.  
Virginia.

**21.** Lt. Governor Jenings to the Council of Trade and Plantations. On the 3rd past I had the honour to receive yr. Lordships' of July 27 by the way of Boston, the *Enterprize* man of war, which brought it continuing still there, being disabled by the loss of some of her masts in the voyage, and not like to come hither till the spring. I am sorry my letter of Nov. 27 concerning the negro trade hath given your Lordps. the trouble of a new enquiry. The difference in the price of negros between the Company and the separate traders was occasioned by the dilligence of the latter in sending their ships early, and thereby gaining the advantage, once or twice, of a better market than the Company who came after them; for when negros come in about the beginning of the summer, the planters are abundantly more fond of them, and will give greater prices for them, because they are sure of the advantage of their labour in that years crop, whereas negros bought at the latter end of the year, are of little service till the next Spring, and this is the true reason of that difference of price, and not that the Company have been at all more favourable to the planters in the sale of their slaves than the separate traders, for both have sold as dear as they could. I am now to give your Lordps. the unhappy news of the loss of H.M.S. *Garland*. She had been out a cruising on the coast for some time, and in her return to the Capes on Nov. 29th about one in the morning unfortunately run ashore on a sand-bank or Island a little to the Southward of Corrotuck inlett, the Officers and all the men except 15 were saved, and the Captain had hopes to save great

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part of the rigging and stores, for wch. purpose I ordered him all the assistance I could from this Colony, and a letter of credit to the Government of Carolina, where the wreck is, for further assistance there; but the season of the year was too far advanced for that service, so that it must be laid aside till the spring. This unfortunate disaster has deprived this H.M. Colony of the protection which we had all imaginable reason to expect from the dilligence of Capt. Cook the Commander of that ship, and more especially after being join'd with H.M.S. the *Enterprize*, which my Lord High Admiral has been pleased to order hither for that purpose. I hope the *Enterprize* will arrive early in the spring, to prevent the attempts of the enemy's privateers; but I humbly beg leave to acquaint yr. Lordps. that that ship alone will not be sufficient for the guard of this coast without the assistance of a smaller vessell of 10 or 12 guns; the greater part of the privateers on this coast are sloops and brigantines, wch. being pursued by a ship of force, make their escape into the flatts and shoal water, where they may ly secure even in sight of a man of war; but might easily be dislodged by such a vessell as I have proposed; and I humbly pray yr. Lordps. favourable interposition with my Lord High Admiral in this particular. Notwithstanding the bad prospect we had at the Fall of the scarcety of corne, wch. occasioned the prohibiting its exportation, yet I thank God that scarcety is not so great as was apprehended, and there has been application for permitting corne to be exported; but I have nott thought fitt to grant it, till I am fully informed how the country in general is supplied. The countrey is at present in quiet, but many parts of it afflicted with a contagious distemper, which rages most in the coldest weather and has swept away many of the inhabitants. In my last by the Fleet, I gave yr. Lordps. the Council's opinion on H.M. late instruction for granting of land, and I think it my duty now humbly to represent that such a seating as is therein proposed will be attended with very great prejudice to H.M. service, and to this Colony; for though it might be practicable, yet while the Proprietary Governments are not under the like regulation, people will (as they now do) flock thither where they can take up land on much easier terms; those Governments finding that the indulging people in that particular is the most effectual means to carry on their interests, which in many respects are inconsistent with the interest of the Crown and of the Colonys under H.M. immediate Government: and therefore I would humbly propose that H.M. may be moved to suspend that Instruction untill the whole Governments as well under the Crown as the Proprietors can be brought under the same regulations in respect of granting land. Since the first doubts arose about H.M. Instructions to Coll. Nott, there has been no patents for land sign'd: some of those patents are for land granted before any alteration was proposed, others are called including patents, that is, where a man had formerly a patent for land adjoining to some waste land, wch. he thought fitt afterwards to take up, or to land purchased from some other person who had a former

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patent for it, and now is desirous to have both tracts included in one patent : and these as well as all other patents still remain unsign'd, because yr. Lordps.' directions were general that no grants should be made, but upon the conditions there prescribed. 'Tis thought hard that such restrictions should be made to look so as to burthen grants made before their promulgation, and that wanted only signing (weh. is a thing of course) to make them compleat. These reflections with the consideration of those new conditions of acquiring land, as they have been the occasion that many have left the country and settled in Carolina, so they have caused some murmuring amongst the inhabitants, weh. I'm afraid may break out more openly upon the meeting of an Assembly : for preventing of which I humbly hope H.M. will be graciously pleased to permitt the patents already prepared to pass as formerly without any other limitation or condition than has been customary heretofore, att least that there be no stop at any time hereafter to the passing of renewed patents on the terms of the first grants, and if H.M. shal be pleased graciously to condescend to these particulars for the ease and satisfaction of this H.M. Colony (and weh. will also considerably advance H.M. Revenue of quitt rents) I humbly pray yor. Lordps. that H.M. pleasure therein may speedily be made known here. Not hearing anything from the Captain of the *Enterprize*, I thought it necessary to send an express to him over land, and hope it will be with him time enough to hasten him hither before the enemy's privateers come on the coast : but if he should fail, I beg yr. Lordps. to be assured that I shal not be wanting in putting the countrey in the best posture of defence I can, to prevent the attempts of the enemy. *Signed*, E. Jennings. *Endorsed*, Reed. 3rd, Read 20th April, 1710. 4 pp. [C.O. 5, 1316. No. 44 ; and 5, 1363. pp. 172-179.]

[Jan. 12.] **22.** Mr. Rayner to the Council of Trade and Plantations. Duplicate of petition Feb. 2, *q.v.* *Signed*, Jno. Rayner. *Endorsed*, Reed. Read Jan. 12, 170<sub>10</sub>. 1 p. [C.O. 5, 1049. No. 150.]

Jan. 13. **23.** Mr. Popple to Isaac Townsend.<sup>1</sup> *Encloses* new seals to  
Whitehall. be forwarded to the Governors of the Leeward Islands and Barbados, *etc.* [C.O. 29, 12. p. 73.]

Jan. 13. **24.** Same to Mr. Burchett. Prays that Mr. Townsend may  
Whitehall. have directions *as preceding*, *etc.* [C.O. 29, 12. p. 74.]

Jan. 13. **25.** Same to the Postmasters General. To same effect as  
Whitehall. preceding. [C.O. 29, 12. p. 75.]

Jan. 13. **26.** George Gordon, Provost Marshall of Barbados, to Mr. Popple. There having some mistake happen'd in the Order of Council, June 9 last, for repealing part of the Act pass'd in 1667, I therefore begg that my petition now before the Lords Comrs.

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<sup>1</sup> Commissioner of H.M. Navy at Portsmouth.

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of Trade may be withdrawn, being in hopes that the same will be shortly sett to rights. *Signed*, Geo. Gordon. *Endorsed*, Reed. 13th, Read 16th Jan. 170<sup>9</sup><sub>10</sub>. 1 p. [*C.O.* 28, 13. No. 9.]

Jan. 13.  
Whitehall.

**27.** Council of Trade and Plantations to the Lord High Treasurer. Enclose incidental charges of the office, and pray for payment of their own salaries, "there being an arrear of five quarters due to us at Christmas last." *v. Journal of Council under date.* 6 pp. [*C.O.* 388, 76. Nos. 92-95; and 389, 36. pp. 453-455.]

[Jan. 16.]

**28.** Abstract of letter from M. Gashet to Mr. Duport, relating to the seizure of the *Society* sloop. *v. Dec. 15, 1709. Endorsed*, Reed. (from Mr. Duport), Read Jan. 16, 170<sup>9</sup><sub>10</sub>. 3 pp. [*C.O.* 152, 9. No. 2.]

[Jan. 16.]

**29.** Copy of the trial of the sloop *Society* in the Court of Admiralty, Antigua, June 17, 1708. *Endorsed as preceding.* 8½ pp. [*C.O.* 152, 9. No. 3.]

Jan. 16.  
Whitehall.

**30.** Mr. Popple to Mr. Burchett. Samuel Brise, of New England, now of Rateliff Cross, Mariner, having attended the Lords Commissioners of Trade and Plantations in order to discover several illegal practices in the Trade in H.M. Plantations (*cf.* Nov. 4) but being under apprehension that he may be press'd, he dares not attend their Lordships as often as is necessary, they therefore desire you to move the Lords Commissioners of the Admiralty for a protection for him, *etc.* [*C.O.* 389, 21. pp. 19, 20.]

Jan. 16.  
Whitehall.

**31.** Council of Trade and Plantations to the President of the Council of Maryland. *Acknowledge* letters. We shall consider the two vacancies in the Council filled by the late Col. Seymour, upon H.M. appointing a new Governor. We are sorry to perceive (March 10) that he cou'd not prevail with the Assembly then sitting to make a necessary provision for the itinerant Justices; but we hope at their next meeting those, who then opposed the doing thereof, may be brought over and made sensible of the benefit and advantage that Province do's receive from such Judges, and thereupon join with the other members of Assembly to settle such allowance on the said Judges, as their services do require. And we doubt not but you will contribute as much as in you lyes towards so good a work, and give us timely information thereof, that we may lay the same before H.M. *Enclose* Orders in Council Dec. 15, 1709, repealing 4 Acts, with the reasons therefor; also duplicate of letter March 26, 1707, which Col. Seymour (Jan. 10, 1709) acquainted us that he had not received. The Queen having by her Order in Council, June 23, 1709, determined the dispute between the Lord Baltimore and Mr. Penn touching the boundaries of the Provinces of Maryland and Pennsylvania, we send a copy of H.M. said Order, upon which we hope such care has been taken by the parties concerned, that

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the disputes between the people of both Provinces relating to the said boundaries will wholly cease. [*C.O.* 5, 727. pp. 164-166.]

Jan. 16.  
Whitehall.

**32.** The Earl of Sunderland to Governor Hunter. The Queen has commanded me to send you the enclosed papers relating to the poor Palatines now at New York, and to recommend them to your charitable care, H.M. leaving it entirely to your discretion to continue them in their present establishment or to employ them in the same manner as those you are now carrying thither with you, and she thinks that as to their Minister, he may be made to share in the labours of the other, who otherwise would have so much a larger congregation, and be put upon the same establishment, but however leaves this matter entirely to you. *Signed*, Sunderland. [*C.O.* 5, 210. p. 195.]

Jan. 16.  
Portsmouth  
Dock.

**33.** Mr. Townsend to Mr. Popple. Acknowledges letter and packets of Jan. 13th, *etc.* *Signed*, Isaac Townsend. *Endorsed*, Recd. Jan. 17, 170 $\frac{9}{10}$ . *Addressed*. 1 p. [*C.O.* 28, 13. No. 10.]

Jan. 16.  
Whitehall.

**34.** Council of Trade and Plantations to Governor Dudley. *Acknowledge* letters of March and Dec., 1708, and March, Aug. and Oct., 1709. As to what you write in relation to H.M. not supplying the vacancies of Counsellors in ye Massachusetts Bay, we are to acqt. you that the mistake you mention in that matter arose from a circular letter which was, on May 7th, 1707, written to all the Governours, but the clause should have been left out to you for the Government of the Massachusetts Bay. We are glad that the Province is supplied with what commodities they want directly from this Kingdom, and doubt not but you will continue as much as possible to prevent the inhabitants from being furnished with those commodities from any other parts, and that you will as much as in you lies discourage their going upon the woollen as well as any other manufactures, wch. if not timely prevented, may prove very prejudicial to Great Britain by lessening the consumption of such manufactures. We are glad to perceive that Mr. Bridger is from time to time encouraged and assisted by you in the execution of ye Trust reposed in him, which encouragement you will do well to continue, it being so much for H.M. service. As to the Act past in New Hampshire *for the better preservation of all mast trees, etc.*, we have laid the same before H.M. ; and have likewise upon the Assembly of the Massachusetts Bays refusing to pass a like Act (for the reasons set forth in one of your forementioned letters) proposed the passing of an Act of Parliament here for the more effectual preservation of mast trees in H.M. woods in New England. We have now under consideration the Act *for the encouragment of the inhabitants of New Hampshire in the making tar, etc.*, and shall as soon as possible lay it before H.M. for her pleasure therein. As to what you write concerning the barbarities of the French and Indians in scalping H.M. subjects that fall

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into their hands, we cannot but approve of the methods you have taken to prevent the like inhumanities for the future. We are glad to hear you have had so little disturbance of late from Canada, which we perceive is owing to your prudent care and watchfulness to prevent any surprise by the enemy, and we doubt not but you will continue the same during this present war. Having received information that Mr. Vaughan is returned to New England, we doubt not but he will have acquainted you that we were not wanting on our parts to forward the affairs he came about, and have reason to believe he will give a satisfactory account of his negotiations to those who sent him over. The account of the ordnance and stores of war that are in the Castle of the several forts in New England, and of such of the said stores as have been expended in the service of the country, we have received ; and you have done well to transmit the like accounts to the Board of Ordnance, under whose inspection that matter properly lyes. As to Mr. Allen's claim to lands in New Hampshire, the same is still depending before H.M. In a letter we have received from Mr. Usher, he acquaints us that there are many persons, who pretend to great tracts of land by town grants in that Province, and therefore he proposes a quit-rent to be paid for the same. But as what he writes touching this matter is not clear to be understood, we send you here inclosed an extract, and desire that you will in your next to us explain his meaning, and then we shall take the same into consideration, and do what shall be found necessary therein. He likewise acquaints us that the Act of Parliament *for regulating the rates of foreign coines* is not complied with in New England. And whereas Col. Cranston, Deputy Governor of Rhode Island, has informed us that the execution of the said Act is suspended in that Colony, till they shall see what methods are taken in New England relating thereto, we have written to Col. Cranston by this conveyance not to delay upon any pretext whatsoever the paying a due obedience to the said Act, and at the same time acquainted him that we have written to you to see the said Act duly put in execution throughout your Governments, which we hope will be done by you accordingly, and that those who shall transgress be punished according as that Law directs.

P.S.—Jan. 24. Since the signing of this letter we have considered the Act of New Hampshire *for encouraging the making of tar, etc.* We take notice that the price of every barrell of good tar in cask of just assise was set for 1709 at 20s. If that be no more than the current price of tar in that Province, we have no objection thereunto. But if it be above the current rate, we are of opinion that it will not only be prejudicial to the Publick funds, which are to be paid in that commodity, but will also make such tar come dearer to market here ; and instead of being an encouragement, will be a hindrance to the sale thereof, you would have done well therefore at the same time you transmitted us the said Act to have informed us of the current price of tar in New Hampshire, however as the Act is expired, we shall not lay the same before H.M. [C.O. 5, 913. pp. 153–160.]

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Jan. 16.  
Whitehall.

**35.** Council of Trade and Plantations to Lt. Governor Usher. We have received two letters from you, one of March 23, 1708, the other without date, and are glad to perceive thereby the good disposition of the Province to join in the intended expedition against Canada. The character you give of Col. Nicholson is no more than we expected from his integrity, courage and zeal for H.M. and the publick service. We are glad Mr. Vaughan is returned to New Hampshire, who we doubt not will have given such an account of his negotiations here as will be satisfactory to those who sent him. We have considered what you write in relation to persons pretending to great tracts of land, and laying claim thereto by town grants, together with your proposal about quit-rents. But as that matter is not clearly expressed, we desire you to explain it more fully in your next, and we have also written to Col. Dudley to do the same. We are sorry to perceive that there is not a due obedience paid to the Act about coine, and have therefore written to Col. Dudley by this conveyance to use his best endeavours for putting the said Act in execution. [*C.O.* 5, 913. *pp.* 160-162.]

Jan. 16.  
Whitehall.

**36.** Council of Trade and Plantations to Mr. Bridger. *Acknowledge* letters of July 6, 1708, March 27 and Aug. 17, 1709. We have had under our consideration the method proposed by you for encouraging the making of tar and pitch in New England. But as there are now 3000 Palatines going from this Kingdom with Col. Hunter, appointed governor of H.M. Province of New York, who are to be employed there in the production of Naval Stores, you will upon his arrival receive further information in that matter. The draught of an Act for preserving of masts in the Massachusetts Bay, which you mention to have sent us in order to its being past by the Parliament here, is not come to our hands. But having received from Col. Dudley an Act past in New Hampshire *for the preservation of mast trees etc.* (as also a copy thereof from you) we have laid the same before H.M., and proposed for the more effectual preventing of spoiles in H.M. woods on the Continent of America, and for preserving all white pine-trees growing there, the passing of an Act of Parliament here for that purpose, no provision having been made for the same in the Act *for the importation of Naval Stores*. And so soon as H.M. shall have declared Her pleasure on the said proposal, you shall be acquainted therewith; in the meantime we shall take into consideration what you write about the impossibility of your proving what trees are cutt on publick lands. And we doubt not but you will continue as much as in you lyes with Col. Dudley's assistance to prevent ye wastes committed in the said woods. But as to the expence and travelling charges you are at in the doing thereof, we can say nothing to that matter, the same being more immediately under the direction of the Lord Treasurer, to whom your Agent is now applying. We are glad to perceive the progress you have made in the raising of hemp, and the probability there is of improving that commodity, and hope in a few years by your prudent management therein, the same may be brought to

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perfection. As to what you say we wrote to Col. Dudley, touching an information of your conniving at the cutting mast trees and converting them into logs, etc., which he communicated to you, we are to acquaint you that having had such an information, we only writ the same by way of caution. We shall not be wanting on all occasions to countenance you as much as in us lyes, in the performance of your duty. We cannot give any order in relation to your desire of leave to dispose of such masts as are under seizure. [*C.O.* 5, 913. *pp.* 162–165.]

Jan. 16.  
Whitehall.

**37.** Council of Trade and Plantations to the Governor and Company of Connecticut. *Acknowledge* letters of Jan. 24 and 26 and Feb. 19, 1708, containing full and satisfactory answers to what we wrote to you ; and we shall from time to time expect the account you promise us, as well in relation to negroes as other matters concerning the Colony under your care ; and we do assure you on our parts that nothing shall be wanting to contribute as much as in us lies to the welfare and prosperity thereof. In relation to the number of inhabitants in Connecticut, we observe you say that according to the best computation that can be made, they do amount to about 4000, 2000 whereof at their own desire have been admitted Freemen, and in a subsequent paragraph you compute the number of Militia, which consist of all above 16 that are capable to bear arms, to amount to 4,500. You will do well to rectify this mistake in your next, when we shall expect the body of Laws you promise us, *etc.* [*C.O.* 5, 1292. *pp.* 200, 201.]

Jan. 16.  
Whitehall.

**38.** Same to Major Tynt. We have received a letter from Sir N. Johnson, Tho. Broughton, and others, dated Sept. 17, 1708, which came not to our hands till Dec. 1st last, and was in answer to one we had writ to the Lords Proprietors May 7, 1707, desiring frequent informations of the state and condition of Carolina, which they having fully done by the said letter, we shall only desire that from time to time you would send us the like accounts, particularly in relation to the Trade of that Province, and whatever else may be of use for our information. [*C.O.* 5, 1292. *pp.* 201, 202.]

Jan. 16.  
Whitehall.

**39.** Same to Governor Cranston. We have considered 3 letters from you, Dec. 5, 1708, containing full and satisfactory answers to what we wrote to you ; and we shall from time to time expect the accounts you promise us, as well in regard to negroes, as other matters concerning the administration of the Government under your care, to the welfare and prosperity of which we shall contribute as much as in us lies. As to what you write about the suspending of the Act for settling the rates of foreign coins, you ought not on any account to delay the execution of the said Law, but to pay an exact and punctual obedience thereunto. We do write to Col. Dudley by this conveyance, that he do take care the said Act be duly complied with. So soon as the several Acts of the Colony shall be finished, we expect that you will

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transmit the same to us ; as likewise all such other Acts of Assembly as shall be passed for the future, as opportunity shall serve. [*C.O.* 5, 1292. *pp.* 202, 203.]

Jan. 18.  
Whitehaven.

**40.** Merchants of Whitehaven, Cockermouth and Penrith trading to H.M. Plantations in America, to the Council of Trade and Plantations. The constitution of the Isle of Man, which renders it foreign to Great Britain, entitling all debenture goods that are exported thither to a drawback, and the small duties that are paid for them there, together with its situation, so near the northern parts of Great Britain and Ireland, makes it so opportune a place for the unfair traders, that great quantities of debenture goods, especially tobacco, are daily exported thither, so vastly disproportionate to the consumption of that Island, that there is no room to doubt (if there were no other evidence of fact) that they are lodged there, only to be run off again to the adjacent parts of Great Britain and Ireland, *etc.* The great advantage which those concerned in this destructive practice make to themselves, has of late much encreased their number and they despise the penalties of the Laws now in being . . . They have done it to such a light that the prices of tobacco in the northern parts of Ireland and of Great Britain as far as York are now generally fallen to about 7d. per lb. for the best wrapper, the fair trader who pays the Queen's duty cannot possibly sell at those rates. This practice has already had so ill an effect, that whereas we heretofore usually freighted about 10 ships yearly from Whitehaven to Virginia and Maryland, upon our own account, we have not dared this year to freight more than one, and have no prospect of freighting any the next. 27 *Signatures.* *Endorsed,* Reed. Jan. 28, Read Feb. 1, 1709. 2 *pp.* *Enclosed,*

40. i. Proposals for securing the tobacco trade against running and other frauds. No debentures to be allowed for any tobaccoes exported to the Isle of Man. Penalties for infringement, *etc.* 1½ *pp.* [*C.O.* 388, 12. *Nos.* 74, 74 i. ; and 389, 21. *pp.* 44-46.]

Jan. 18.  
Whitehall.

**41.** The Earl of Sunderland to Governor Hunter. Having a very good character of Mr. John Rigs, your Capt. Lieutenant, as having been a Commission Officer above 21 years and gained a general esteem at New York, I recommend him to your protection *etc.* *Signed,* Sunderland. [*C.O.* 5, 210. *pp.* 195, 196.]

Jan. 19.

**42.** Samuel Brise to the Council of Trade and Plantations. Enumerates cases of illegal trade carried on between St. Thomas, Curaçoa and the British Plantations, 1704-1708. *Signed,* Samuel Brise. *Endorsed,* Recd. Read Jan. 19, 170<sup>9</sup>/<sub>10</sub>. 1¼ large *pp.* [*C.O.* 388, 12. *No.* 66.]

Jan. 19.  
Whitehall.

**43.** Mr. Popple to Mr. Addington. *Acknowledges* letters of March 15, 1708 and Oct. 26, 1709, by Col. Nicholson, who will no doubt make a just Representation to H.M. of the pressing

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circumstances the Provinces [*of the Massachusetts Bay and New Hampshire*] at present labour under, as well from the disappointment of the intended expedition against Canada, as from the great losses those Provinces have sustained by the incursions of the enemy, which Representation I hope will have the desired success. For my own part I shall contribute everything in my power towards the same. [*C.O.* 5, 913. *pp.* 166, 167.]

Jan. 19.  
Whitehall.

**44.** Same to Mr. Plaisted. *Acknowledges* letter of April 12, 1709, *q.v.* The Council of Trade and Plantations are very sensible of Col. Dudley's care in giving you all the assistance he can by sending out scouts, and a sufficient force to cover your men in the cutting such masts, from the insults of the enemy. And their Lordships do not doubt but upon the arrival of Col. Hunter at New York, such further care will be taken by him, that you will not meet with any molestation in the performance of your duty for the future. [*C.O.* 5, 913. *pp.* 167, 168.]

Jan. 19.  
Whitehall.

**45.** Council of Trade and Plantations to Lt. Governor Bennett. *Acknowledge* letters Sept. 30 and Oct. 30. But we have not received your letter of May 30, nor the proceedings in the Admiralty Court on two vessels condemned for illegal trade, which you mentioned to have sent us by the way of Barbadoes. You will do well therefore to transmit us duplicates thereof. We shall expect the accounts of stores and of the fortifications which you promise us, and at the same time, that you transmit those accounts to us, you ought also to send duplicates thereof to the Board of Ordnance. We take notice of what you say in relation to the mony found by John Hilton, and you will do well to make what further enquiry you can in that matter, and to send us an account thereof. You will undoubtedly have heard from your brother, Sir John Bennet, how the matter between you and Mr. Jones stands, so that we need not be particuar in giving you an account thereof. All that we need add is that we shall do you justice as the nature of the thing requires. [*C.O.* 38, 6. *pp.* 485, 486.]

Jan. 19.  
Admiralty  
Office.

**46.** Mr. Burchett to Mr. Popple. Encloses following *etc.* *Signed*, J. Burchett. *Endorsed*, Recd. 19th, Read 20th Jan. 170<sup>9</sup>/<sub>10</sub>. *Addressed*. 1 *p.* *Enclosed*,

46. i. Mr. Townsend to Mr. Burchett. Portsmouth Dock, Jan. 17. Enquires whether there is a new seal for Jamaica, *etc.* *Signed*, Isaac Townsend. *Copy*. 1 *p.* [*C.O.* 28, 13. *Nos.* 11. 11 i.]

Jan. 19.  
Whitehall.

**47.** Circular letter from the Council of Trade and Plantations to the Governors and Proprietors of Plantations. Having received information that a clandestine and illegal trade has and still continues to be carried on by several persons in the [———] under your Government to Curaçoa and St. Thomas, by which means the French Islands and their privateers are furnished with goods and provisions to the great prejudice of

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H.M. subjects, we send you an extract of such information that you may make strict enquiry into the truth of the severall matters of fact alledged therein, and if you find sufficient ground, that you cause such persons as have been concerned in such illegal trade to be prosecuted according to law. By the said extract you will see how a trade is carryed on with Martinico by means of their flags of truce. We think it therefore necessary that you take all possible care, when any flags of truce shall arrive at [———], they be not permitted to trade during their stay there, or allowed to go on shore to examine the strength and condition of your Government, and you are to give us an account from time to time of your proceedings herein. *Annexed,*

47. i. Extracts from 3 memorials (? by *Peter Holt, etc.*) relating to illegal trade carried on between Curaçoa, St. Thomas and the British Plantations in America. From the English Plantations upon the mainland the inhabitants of Curaçoa have all sort of provisions, as bread, flower, butter, cheese, pease, rice, beef, pork and corn; from Pennsylvania and New York strong and small beer; from Carolina and New England pitch and tarr; from the Charibbee Islands and Jamaica rum, sugar, cotton, ginger, indigo, and tobacco; in return of which our Plantations have chiefly cocoa, linnens, muslins, silks and other goods for wearing apparel, with great quantity of riggings, sail, canvas, anchors and other sorts of iron-work, powder and shott, which is never taken notice of by our men of war, when they meet with any sloop from thence. There is commonly at this Island 1600 sea-faring men and 2 of them English, some of them having run away from men of war, and some from merchantmen, and some having been taken prisoners and brought to St. Thomas's come down to Curaçoa for subsistence, which always makes Curaçoa full of men; for when a sloop comes down from any of our Islands, they commonly bring three times their complement of men, and at the same time our own ships at Barbadoes, Antigua, Mountserat and Nevis have offered £25 and £30 for only the run home from the West Indies, and cou'd not have men for that; and their men at Curaçoa have gone without shoes upon their feet or shirts upon their backs, their common wages being 14 pieces of  $\frac{8}{10}$  per month; and when they have been out 5 or 6 months, and have about 70 pieces of  $\frac{8}{10}$  to receive, they cannot stay on shore a month before all their mony is gone, which makes so many English in so poor a condition; and shou'd an English man of war come into Curaçoa, and offer to impress any men, the Governor wou'd not suffer him. Several merchants told me that they had not less than 12 or 1500 tun of bread and flower, and as much beef, in one year from us; and that they cou'd never see, but one time with another, it was as dear among our

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own Islands as at Curaçoa ; and that if they had not provision from us, their trade wou'd be ruined. In 6 months (that) the inhabitants wou'd be forced to go down to Jamaica, for Holland cou'd not supply the place with provision, so that their trade wou'd be of advantage to them, they having had commonly £50,000 in provisions in a year from our Plantations, which has most of it been returned in Dutch goods ; besides rum and sugar, cotton and indigo, and pitch and tar, to above 2 times the value, which the merchants at Curaçoa wou'd much wonder at, that our European trade shou'd suffer so much, and not be taken notice of. They have but 3 sloops at the Island, but what was built in our Plantations : at Rhode Island, New York, Pennsylvania, Carolina, Bermudas, and the Bahamas, and most of them the best sailers in America. This is the chief of their trade with the English Plantations, without which they cou'd not live. Had Jamaica such a supply of provisions as Curaçoa has, and a stock of goods for the Spanish trade, it wou'd in a little time be the finest Island in the world, it lying as convenient for the Spanish trade as Curaçoa, and more convenient for the Leeward trade, Porto Bell lying near S.S.W. from Port Royal, which is the chief place for selling great quantities of goods, and slaves, for ready pieces of eight, there being only that in return. There are many vessels from the Northern parts of America that take in wine at Maderas for Curaçoa, and so return home, but sell their Mediterranean passes to the Dutch, who put in an Englishman master, and the men all Englishmen, and go under English colours for Madera or the Canaries. There is hardly any Plantation in America that belongs to H.M. but has a correspondence with Curaçoa, and not many but what have raised themselves by it. The last part of the trade the Dutch have with the Spaniards is, the Spaniards come to Curaçao with their own sloops, and bring them money for goods. Curaçoa loads home for Holland in one year about 50 sail of ships, and most of them are richly laden, and a great part of their loading comes out of the English Plantations, chiefly sugar, cotton, tobacco, indigo and ginger ; of their own produce by trade with the Spaniards, cocoa, hides, tobacco, logwood, stockfish wood and money. When a fleet is loading at Curaçoa, the Charibbee Islands have a good trade for what they bring down to Curaçoa ; sugar commonly  $4\frac{1}{2}$  pieces  $\frac{8}{8}$  per hundred, cotton and indigo runs higher than at other times, and provision much carryed away by ships that have laid long in the harbour, which are obliged to our Plantations for that, to carry them home. When two sail of our northern vessels come in together with provision, the Jews will blow upon it, if not consigned

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to them. I cannot say that the Jews are owners of most of the vessels that supply that place with provision (because I never sailed in that Trade, only from Antigua), but they have that power over most of them when they are there, that they can turn out, or put in what Master they please. If sailors have a mind to leave an English vessel at Curaçoa, to stay in the place, a complaint to the Governor will get them their wages and discharge, whether it be due or no ; and any servant may run away from his master, and no remedy for it. And if provision be scarce, the Governor will oblige the bringer to take his price, or carry it away again, and if he can find anything against them, he makes them pay dear for it. They commonly run many hazards in not entring all their goods, the masters not being sworn to what they have on board, nor any constant waiters to look after the loading of anything. April 18, 1707, came in to Curaçoa a brigantine and a sloop, both French. The sloop about 6 weeks before had sailed out of Curaçoa, and belonged to one James Handes of this place, an Englishman. The sloop had been taken and carryed into St. Domingo and condemned to the French, and these two vessels were sent to Curaçoa to be sold. When Mr. Handes saw his own sloop come into the harbour, he went to the Governor and demanded her again, but the Governor wou'd not let him have her, but put both brigantin and sloop out of the harbour, and when out, they lay by, and in 3 hours time sent on shore a canoe with a considerable quantity of mony, which was landed at one Philip Senyor's, a Jew merchant, and the Governor's chief favourite, which was to buy provision for them to carry to Martinico. July 1st came in a flag of truce from Martinico, laden with furs and claret, and lay in the harbour all night, and next day went out to little Curaçoa (a small key S.E. 2 leagues from Curaçoa) and one Samuel Brice, an Englishman, was sent with a sloop of Philip Senyor's after her, and brought her lading to Philip Senyor, and two days after carryed the Frenchman, his sloop's loading of provision. This flag of truce had but two prisoners, which he brought down with him. But that is the way, when they want provisions at Martinico, and there is none to be had at St. Thomas's, to fit out their privateers. Aug. 1706, a sloop named the *Tempest* came down from Barbadoes laden with beef and rum and sugar. About this time came in a flag of truce from Martinico, having but 3 prisoners, but laden with French brandy and claret, and carryed provision ; and while he lay in the Harbour had the liberty to go on board of the *Tempest*, and measured her decks, and told the men that belonged to her, it shou'd not be long before he had that sloop, (she being the best ship in America), and on Christmas Day

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afterwards, lying at the Planton Keys, 12 leagues to Leeward of Carthagena, Capt. Burnee that commanded the French sloop, met the *Tempest* and fought her with two French privateers, and after 5 hours fight, the commander and 30 men killed outright, the sloop was taken, the French privateers fighting under Dutch colours all the time of the engagement. The cargo of this sloop that was taken was valued at 270,000 pieces of  $\frac{8}{8}$  when she went out of Curaçoa. [C.O. 324, 9. pp. 422-429; and 153, 10. pp. 452-458; and 319, 1. pp. 181-186; and 138, 13. pp. 79-81; and 29, 12. p. 76; and 5, 1122. pp. 150, 151; and 5, 1292. pp. 204-207; and 5, 1363. pp. 42, 43; and 38, 6. pp. 487-489; and 319, 1. pp. 181-186.]

Jan. 19. **48.** Annexed to above letter and enclosure to Governor  
Whitehall. Handasyd. Details of illegal trade between Jamaica, Curaçoa  
and St. Thomas etc., 1705, 1706. [C.O. 138, 13. pp. 81-84.]

Jan. 19. **49.** Annexed to above letter and enclosure to Governor Crowe.  
Details of illegal trade between Barbados and Curaçoa, 1705-  
1707. [C.O. 29, 12. pp. 77, 78.]

Jan. 19. **50.** Annexed to above letter and enclosure to Governor  
Hunter. Details of illegal trade between New York and Curaçoa,  
1704-1707. [C.O. 5, 1122. pp. 151-154.]

Jan. 19. **51.** Annexed to above letter and enclosure to the Lords  
Proprietors of Carolina. Details of illegal trade between Carolina,  
St. Thomas, and Curaçoa, 1707, 1708. [C.O. 5, 1292. pp. 205,  
206.]

Jan. 19. **52.** Annexed to above letter and enclosure to William Penn.  
Details of illegal trade carried on between Pennsylvania and  
Curaçoa, 1704-1707. [C.O. 5, 1292. pp. 207, 208.]

Jan. 19. **53.** Council of Trade and Plantations to Col. Jenings.  
Whitehall. *Acknowledge* letter of Oct. 8. We shall expect the estimate of  
the charge of laying out the boundaries of Carolina, the particulars  
of what has been disbursed for the brigantine, and the accounts  
of H.M. Revenue, which you promise us. As to what you write  
about H.M. additional Instruction relating to the granting of  
lands, we do not see any cause to alter the method proposed  
therein. That Instruction was drawn conformable to the  
Representation made by you and the Council to us, with this  
addition only, that every Pattentee be obliged to cultivate and  
improve 3 acres part of every 50 acres granted to them, within  
3 years after the passing of such grant. This we thought so  
reasonable, that we could not imagine either you or the Council  
would have made any objections to it, for when a person takes  
up land, it must be either to improve it, or it is a detriment  
to the Colony in preventing others from seating; and we are still

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of opinion that the cultivating of one acre a year during 3 years for a grant of 50 acres is as little as can be expected; and therefore we do not think it advisable to offer to H. M. that any alteration be made therein. We have laid what you write in relation to the sloop to be bought for the service of Virginia before the Rt. Hon. the Lords Commissioners of the Admiralty for their directions therein. In our letter, Oct. 12, you will receive H.M. Order in Council, Sept. 20, 1709, *etc.*, *q.v.* Since you had so great reason to be apprehensive of a scarcity of corn in the Colony, we think you have done well to issue out such Proclamation as you have sent us for prohibiting the exportation of it; and hope the same has been done so early, as to prevent any want of that commodity to the inhabitants. We are sorry to here the cropp of tobacco is like to fall short, and that the Colony of Virginia has been afflicted with a pestilential fever. *Repeat circular letter concerning illegal trade as preceding, Jan. 19.*

*Add :—P.S. Enclose Order in Council Dec. 15, 1709, repealing Act for establishing ports, etc., with reasons. [C.O. 5, 1363. pp. 39–43.]*

Jan. 19.  
Whitehall.

**54.** Mr. Popple to Thomas Byerley. In answer to your letter of March 9, 1708, the Council of Trade and Plantations are very glad the late Lord Lovelace had restored you to your places, and don't doubt but Col. Hunter will confirm and support you in them *etc.* [*C.O.* 5, 1122. *pp.* 154, 155.]

Jan. 20.  
Whitehall.

**55.** Council of Trade and Plantations to the Earl of Sunderland. Enclose following for H.M. Signature. *Annexed,*

55. i. Draught of Additional Instruction for Governor Hunter for settling Palatines at New York, *as proposed Dec. 5.* [*C.O.* 5, 1122. *pp.* 155–158.]

Jan. 21.  
Admiralty  
Office.

**56.** Mr. Burchett to Mr. Popple. By an Order in Council, Jan. 22, 1707, it was directed that 6 of H.M. ships of good force should be sent to Newfoundland that year, for protecting the fishery and the harbours. The Lords Commrs. of the Admiralty desire to know from the Lords Commrs. of Trade, whether, upon their discourse with the persons tradeing to Newfoundland, and the present circumstances of our affaires there, it may be necessary to send soe many of H.M. ships thither this year. *Signed, J. Burchett. Endorsed, Reed. Read Jan. 23, 170<sup>9</sup><sub>10</sub>. Addressed.* 1 *p.* [*C.O.* 194, 4. *No.* 104; and 195, 5. *p.* 122.]

Jan. 21.  
Whitehall.

**57.** Wm. Popple to Isaac Townsend. The Jamaica seal is not yet finished. You will please deliver those for Barbados and the Leeward Islands to Capt. Spann, who is to touch there. [*C.O.* 29, 12. *p.* 79.]

Jan. 21.  
Whitehall.

**58.** Same to Mr. Burchett. Encloses copy of preceding and prays that Capt. Spann may have directions accordingly. [*C.O.* 29, 12. *p.* 80.]

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Jan. 21. Admiralty Office. **59.** Mr. Burchett to Mr. Popple. Orders will be given to Capt. Spann as desired, *in preceding*, and receipts for the seals transmitted to you. *Signed*, J. Burchett. *Endorsed*, Recd. Read Jan. 23, 170 $\frac{9}{10}$ . 1 p. [*C.O.* 28, 13. No. 12.]
- Jan. 23. Boston. **60.** Mr. Addington to Mr. Popple. Refers to publick papers sent by H.M.S. *Reserve*. *Signed*, Isc. Addington. *Endorsed*, Recd. 3rd, Read April 21, 1710. 2 pp. [*C.O.* 5, 865. No. 40 ; and 5, 913. pp. 204, 205.]
- Jan. 24. Whitehall. **61.** Mr. Secretary Boyle to the Council of Trade and Plantations. Encloses following for their consideration and report. *Signed*, H. Boyle. *Endorsed*, Recd. 25th, Read 27th Jan., 170 $\frac{9}{10}$ . 1 p. *Enclosed*,  
61. i. R. Jackson, H.M. Commissary at Stockholm, to Mr. Secretary Boyle. *Reviews the history and conduct of the Swedish Tar Company, which, by its monopoly of pitch and tar, and its partiality in supplying France, and refusing supplies to H.M. Navy, is of dangerous consequence to Britain.* Their excluding wholly all H.M. subjects out of the trade was so highly resented that it gave rise to the Act of Parliament pass'd the next Session to encourage the importation of Naval Stores from America, which had at first that good effect that the Tar Company was obliged immediately to fall the prices of their pitch and tar at London very considerably. By what I have learnt here, both from themselves and others, their chief and only aim in selling since that time at any moderate prices, is to prevent the effects of the advantages the said Act gives to the importers of such stores from British Plantations . . . However, I reckon that all due encouragement continues to be given to the importers of such stores from thence, and that by the assistance of some quantity brought that way, the providing H.M. Fleet is less precarious than formerly, and not subjected altogether so much as it used to be to the caprice of a few Swedish merchants, who if at any time hereafter find their interest in disappointing H.M., they will not, I fear, have more regard for Her service than there are instances of in 1701 and 1702, when the Tar Company would not deliver any pitch or tar for the use of H.M. Fleet, tho' they were sufficiently told how much it was wanted, but first sent themselves some quantity to France, nor would they load English ships, tho' they frequently employ Holland's ships, etc. Urges the turning of the British pitch and tar trade into other channels and the abolition of the Tar Company by Treaty, etc. *Signed*, R. Jackson, Stockholm, Dec. 29, 1709. *Copy*. 9 pp. [*C.O.* 388, 12. Nos. 71, 71 i. ; and 389, 21. pp. 27-38 ; and (copy of enclosure only) 5, 3. No. 37 ii.]

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Jan. 24.  
Whitehall.

**62.** Council of Trade and Plantations to Governor Parke. *Acknowledge* letters of Nov. 14 and 19. We are very sorry to perceive the inhabitants are so remiss in providing for their own defence, especially at a time when they are threat'ned with attempts from the enemy. However in case any attempt should be made, we will not doubt of your exerting yourself for H.M. service. You say you have received no letter from us since Aug. 12, and as we find that we writ no letter on that day, we suppose that must be the day that some of our letters came to your hand tho' it does not appear of what date those letters were. However, that you may know what letters we have writ you since January last, they are as follows *etc.* We have laid before H.M. what you write concerning the taking of St. Eustatia. We are very sorry for the villanous attempt upon your person, which was not only an injury to yourself (and that of the highest nature) but an indignity to H.M. by affronting her authority, and we heartily wish that the actors and contrivers of that design may be discovered, that they may be prosecuted and punished with the utmost severity of the Law. As to your desire of directions in relation to the Assemblies insisting on their Speaker's having a negative voice in the passing of laws that is, of signing after you ; wee did, Nov. 25, acqt. you with our opinion that you had done well in supporting the rights of the Crown, and, Nov. 29, we acquainted you that in relation to the irregularity of the proceedings of the Assembly of Antigua, and their pretending to assume privileges which of right do not belong to them, we could only advise you to pursue your Instructions, *etc.* This we thought wou'd have been sufficient for your direction, but since you desire something further, we have only to add that by one clause in your Commission which is under the Broad Seal of this Kingdom, the negative voice is solely lodged in you or the Commander in Chief for the time being. *Clause quoted.* So that the Assemblies insisting on a privilege which H.M. has reserv'd to herself, and only deputed to you and the Commander in Chief for the time being is an undutifull attempt upon H.M. Royal Prerogative, which is contrary to the constant usage here in Great Brittain, and what none of H.M. other Plantations in America have ever pretended to. Their allegation that other former Governors have done it ought not to weigh with you. Their neglect of their duty in giving up the rights of the Crown, is a president we hope you will never follow, and therefore we have only to advise you to acqt. the Assembly with the fore-mentioned clause, and that their pretending to assume the right of their Speaker's signing last will never be allowed of here, you will doe well therefore to continue to assert H.M. right, and to insist peremptorily upon it. As to your desire of having the original Articles against you sent to you, we have only to acquaint you that the original was never with us, what was referred to us being only a copy. [C.O. 153, 10. pp. 471-475.]

Jan. 24.  
Whitehall.

**63.** W. Popple to the Mayors of Bideford, Barnstable, Exeter, Dartmouth, Bristol, Plymouth, Weymouth, Fowey, Poole, and

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to Solomon Merret. The Council of Trade and Plantations desire you to consult with the merchants of Biddiford, *etc.* trading to Newfoundland, and thereupon to let me know as soon as possible how many ships they intend to send this year upon that Fishery, as also what convoys they think necessary for the protection of the several harbours and trade there. [*C.O.* 195, 5. *p.* 123.]

Jan. 24. **64.** W. Popple to Josiah Burchett. Acknowledges letter of  
Whitehall. Jan. 21 and informs him of the enquiries being made *in preceding*.  
[*C.O.* 195, 5. *p.* 124.]

Jan. 26. **65.** Mr. Burchett to Mr. Popple. *Encloses following. Signed,*  
Admiralty J. Burchett. *Endorsed, Recd. Read Jan. 27, 170 $\frac{3}{10}$ . Addressed.*  
Office. 1 *p. Enclosed,*  
65. i. Receipt for seals for Barbados, Bermudas and the  
Leewards Islands. *Signed, Jona. Spann. Capt. of*  
*H.M.S. Rupert* and C. in C. of the ships going to  
Jamaica, *etc.*  $\frac{1}{2}$  *p.* [*C.O.* 28, 13. Nos. 13, 13 i.]

Jan. 26. **66.** Order of Queen in Council. Referring following to the  
St. James's. Council of Trade and Plantations for their report. *Signed,*  
Edward Southwell. *Endorsed, Recd. 1st, Read 3rd Feb., 170 $\frac{3}{10}$ .*  
 $1\frac{1}{2}$  *pp. Enclosed,*

66. i. Petition of George Gordon to the Queen. *Prays for*  
*the repeal of the whole Act of Barbados, 1708, appointing*  
*a Committee for settling the public accounts, cf. June 9,*  
*1709. Set out, A.P.C. II. p. 604. q.v. Signed, Geo.*  
*Gordon. Copy. 2 pp.*

66. ii. Petition of Merchants and others of Barbados to the  
Queen. By the original constitution of the Courts of  
Judicature in this Colony, all the process and writts  
issued by the said Courts were executed and served  
by the Provost Marshall General nominated and  
appointed by Letters Patents from your Majesty's  
Royal Predecessors or the Proprietors of this Island.  
For severall years last past the Cheif Judges of the  
respective Courts, have nominated and appointed the  
Marshals of the several Courts, whereof they are  
respective judges. Since such nominations many and  
great inconveniencys have happened to your Majesty's  
subjects of this Colony, the said Marshalls being generally  
persons indigent and not fit for so great a trust. *Pray*  
*that the judges may not for the future be permitted*  
*to nominate the Marshalls, who are generally creatures*  
*and dependants of their own, but that persons of credit*  
*may be nominated by H.M. Signed, Wm. Sharpe,*  
*Saml. Cox, Wm. Cleland, Raynes Bate, Edward Morgan,*  
*Tho. Stewart, A. Skene, Benj. Bullard, Dudley Wood-*  
*bridge, Tho. Edwards, Jos. Salmon, Edwd. Cordwent,*  
*John Merring, Patrick Thomson, Jos. Salmon jr.,*  
*Chr. Fowler, John Scott. 1 $\frac{1}{2}$  pp. [C.O. 28, 13. Nos.*  
*14, 14 i., ii.; and 29, 12. pp. 81-85.]*

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Jan. 26. **67.** Order of Queen in Council. Affirming the acquittal of  
St. James's. William Walker, and stopping proceedings against him and Norman  
Mackaskall in Barbados. (*v. following*). *Endorsed*, Read. 3rd,  
Read 15th Feb., 170 $\frac{9}{10}$ . 2 $\frac{1}{4}$  pp. [*C.O.* 28, 13. No. 18; and  
29, 12. pp. 88-91.]

Jan. 26. **68.** Order of Queen in Council. Referring following to  
St. James's. the Council of Trade and Plantations, who are to report to  
H.M. in Council what they shall judge most requisite and proper  
to be done for preventing any irregular proceedings in H.M.  
Courts of Justice in Barbados. *Signed*, Edward Southwell.  
*Endorsed*, Read. 5th, Read 7th Sept. 1710.  $\frac{3}{4}$  p. *Enclosed*,

68. i. Copy of Address of the General Assembly of Barbados  
to the Queen. George Lillington (*cf.* C.S.P. Dec. 13,  
1705 ff.) was in the time of Sir B. Granville cruelly  
persecuted, with a designe to force from him £2,000.  
The instrument made use of was William Walker, then  
your Majesty's sworn Council at Law, who by money,  
menaces and threats compelled Lillington to give him  
that sum to save his life and liberty. Which matter  
having been fully proved against Walker, and a Bill of  
Indictment found against him at the last Court of  
Grand Sessions, we did hope that the matter would have  
come to a full and final tryal by a petty jury, when  
the major part of the justices commissioned to hold  
the said Court did in effect vote that it was not a legal  
Court to any intent or purpose whatsoever, thereby  
keeping Walker from being tryed, whereby Walker has  
for the present avoyded his tryal and escaped the justice  
of your Majesty's Laws, to the evill example of all others,  
and to the great disquiet and terror of your Majesty's  
good subjects. The said obstruction of Justice has  
happened by the majority of those persons commis-  
sioned to hold the said Court, who were the most  
forward instruments in the hardships put upon your  
Majesty's subjects in the time of Sir B. Granville, and  
particularly concerned in the oppression of Lillington.  
*Pray* H.M. protection, that H.M. Courts of Justice may  
no more be made use of to punish ye innocent, and to  
clear and protect criminals by feigned tryals, *etc.*  
Jan. 6, 1708,(9). *Signed*, William Grace, Clk. of the  
General Assembly. 2 pp. [*C.O.* 28, 13. Nos. 36,  
36 i.; and 29, 12. pp. 260-264.]

Jan. 26. **69.** Order of Queen in Council. Approving Representation  
St. James's. of Feb. 3, 1709, (*q.v.*), and the merchants' petition relating to the  
Bahamas (Dec. 30, 1708). Orders given accordingly for appoint-  
ing a Governor and defending the Islands. *Signed*, Edward  
Southwell. *Endorsed*, Read. 20th, Read 21st Feb., 170 $\frac{9}{10}$ . 1 $\frac{1}{4}$   
pp. [*C.O.* 5, 1264. No. 95; and 5, 1292. pp. 214, 215.]

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Jan. 26. **70.** Order of Queen in Council. Referring following to  
St. James's. the Council of Trade and Plantations for their report. *Signed*,  
Edward Southwell. *Endorsed*, Recd. Read Jan. 31, 170 $\frac{9}{10}$ .  
1 $\frac{3}{4}$  pp. *Enclosed*,  
70. i. Sir T. Laurence to the Queen. Petitions against  
Ordinance of Assembly of Maryland and oppression of  
Governor Seymour and his instrument, Wm. Bladen,  
*etc.* v. Acts of Privy Council, II. p. 523. *Copy*.  
2 pp. [*C.O.* 5, 717. Nos. 4, 4 i.; and 5, 727. pp.  
167-170.]
- Jan. 26. **71.** H.M. Additional Instruction to Governor Hunter. You  
St. James's. are to take care that the scheme for settling 3000 Palatines  
(Dec. 5) be duly put in execution, *etc.* [*C.O.* 5, 210. pp. 196,  
197.]
- Jan. 26. **72.** Order of Queen in Council. Referring following to the  
St. James's. Council of Trade and Plantations for their report. *Signed*,  
Edward Southwell. *Endorsed*, Recd. Jan. 31st, Read Feb. 3,  
170 $\frac{9}{10}$ . 1 p. *Enclosed*,  
72. i. Alexander Skeen to the Queen. Petitions against the  
Act of Barbados, 1667, directing how the Clerks of  
Common Pleas shall be appointed and paid, which  
was never confirmed by H.M., and in disuse for 30 years,  
but which has recently been revived, and thereby  
encroaches against the privileges of the Secretary.  
*Signed*, in behalf of petitioner, Row. Tryon. *Copy*.  
1 p.  
72. ii. Copy of Letters Patent appointing Alexander Skene  
Secretary of Barbados, April, 1702. *Copy*.  $\frac{1}{2}$  p. [*C.O.*  
28, 13. Nos. 17, 17 i., ii.; and (without enclosure ii.),  
12, 29. pp. 86, 87.]
- Jan. 27. **73.** Commissioners of H.M. Navy to Mr. Burchett, concerning  
the Swedish Tar Company. v. Feb. 14. *Endorsed*, Recd.  
3rd, Read 7th Feb. 170 $\frac{9}{10}$ . *Copy*. 1 $\frac{1}{2}$  pp. [*C.O.* 388, 12.  
No. 76.]
- Jan. 28. **74.** Mayor of Bristol to Mr. Popple. *Reply* to letter of Jan.  
Bristol. 24. The number of ships designed this spring to goe to Newfound-  
land are about 12 sayle, and they desire the convoy to be at  
Milford by March 10, *etc.* As to the number of men of war  
requisite to send to the Land, they conceive four fourth-rates  
to lye at St. Johns, Ferriland, Carbonere and Trinity for security  
of those harbours, and two or three fifth-rates to cruise from  
Ferriland to Cape Bonivista to secure the Trade bound thither  
to take in fish for a market. *Signed*, Robert Bound. *Endorsed*,  
Recd. 30th, Read 31st. Jan. 170 $\frac{9}{10}$ . *Addressed*. *Postmarks*.  $\frac{1}{2}$  p.  
[*C.O.* 194, 4. No. 106.]
- Jan. 28. **75.** Mayor of Poole to Mr. Popple. There are 9 ships intended  
Poole. for Newfoundland this yeare. Three of which are ready to join

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the Isle of May convoy as soon as shee shall arrive at Spitthead. The other 6 are intended to sayle directly for ye Newfoundland from Spitthead with the convoyes which it's desired may be at Spitthead March 10, and *proposes* 5 men of war for Newfoundland, *etc.*, in detail. *Signed*, Wm. Skutt. *Endorsed*, Reel. 30th, Read 31st Jan., 170 $\frac{9}{10}$ . *Addressed*. 1 p. [C.O. 194, 4. No. 107.]

Jan. 28.  
Bideford.

**76.** Mayor of Bideford to Mr. Popple. They are fitting out from hence 12 or 14 sayle of shippes for Newfoundland. Since ye warr, the harbours they fish in are generally Ferryland and Fermoose, wch. will require a 4th rate man of warr at each place for their protection there; and doe alsoe think it absolutely necessary that sd. two men of warr bee ready to joyne them at Milford by ye 24th proximo, haveing found by sad experience that their haveing convoy soe late the last season, their fishing voyages were utterly ruined. All our merchants and traders agree that a less number then 8 sayle of men of warr will not bee sufficient for ye protection of all ye severall harbours and the trade there. *Signed*, John Clifton. *Endorsed*, Reel. 2nd, Read 3rd Feb., 170 $\frac{9}{10}$ . *Addressed*. *Sealed*.  $\frac{3}{4}$  p. [C.O. 194, 4. No. 115.]

Jan. 29.  
Dartmouth.

**77.** Mayor of Dartmouth to Mr. Popple. *Reply* to query as to convoys for Newfoundland, Jan. 24. *Proposes* that 4 men of warr at least proceed from England, vizt. two from the South Coast and two from the North by March 1st at the furthest, another from Lisbon at the same time, and another from England in the summer with the Scots' ships. 2 men of warr lyeing off St. Johns, one off Ferryland, and one off Trinity will be enough to guard the Fishery. There are 8 sail of considerable ships now fitting out here. *Signed*, Tho. Newman. *Endorsed*, Reel. 2nd, Read 3rd Feb., 170 $\frac{9}{10}$ . *Addressed*. *Sealed*.  $\frac{3}{4}$  p. [C.O. 194, 4. No. 113.]

Jan. 30.  
Weymouth.

**78.** Mayor of Weymouth to Mr. Popple. The merchants trading to Newfoundland will have 4 ships from hence thither, and they do conceive it necessary to have foure ships of warr as convoys, vizt. one for the Isle of May, one for St. Johns, one for Ferryland, and one for Trinity Harbours. *Signed*, Isaac Hanwy. *Endorsed*, Reel. 2nd, Read 3rd Feb., 170 $\frac{9}{10}$ . 1 p. [C.O. 194, 4. No. 14.]

Jan. 30.  
Fowey.

**79.** Mayor of Fowey to Mr. Popple. Wee have noe ships in this porte for maney yeares passed which have traded to Newfoundland, butt are most part taken and lost by this unhappy warr, soe that wee have noe trade att all. *Signed*, Stephen Wenmoth. *Endorsed*, Reel. 3rd, Read 7th Feb., 170 $\frac{9}{10}$ . *Addressed*.  $\frac{1}{2}$  p. [C.O. 194, 4. No. 122.]

Jan. 31.  
Barnstaple.

**80.** Mayor of Barnstaple to Mr. Popple. The merchants here that trade to Newfoundland, intend to send 4 ships, this yeare,

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to fish there ; they humbly conceive 6 convoys will be necessary for the protection of the severall harbours and trade there, and desire that convoy may be as timely ready as possible, for that late going thither hath heretofore prov'd not only a great hindrance but prejudice to the traders. *Signed*, Richd. Gread. *Endorsed*, Recd. 3rd, Read 7th, 170 $\frac{9}{10}$ . *Addressed*. *Postmark*.  $\frac{3}{4}$  p. [C.O. 194, 4. No. 121.]

Jan. 31.  
Boston in  
New England.

**81.** Governor Dudley to the Council of Trade and Plantations. My last general letters were by Capt. Riddell in H.M.S. the *Falmouth*, who being well arrived, I hope your Lordships had the past years papers and accounts to your Lordships' satisfaction. This comes by Capt. Teate in the *Reserve*, who brings home ye Mast Fleet and other ships from these Provinces, and your Lordships' packetts now humbly presented. *Refers to enclosures, including accounts* of the Revenue and taxes granted to H.M. for the support of the present war, which is this year grown to a very great sum. The last year's expence amounted to £30,000 for the ordinary service by sea and land in the defence of ye Province, and the thousand musquetiers that in obedience to H.M. commands were rayased in these Provinces with transports and provisions for them amounts to another £30,000, of which H.M. good subjects have not been impatient, but readily granted the payment thereof to the officers, and souldiers and saylors with all chearfulness, in hopes H.M., if the war continue, will please to revive that expedcon in the Spring, there being no manner of doubt, with the favour and blessing of Almighty God upon H.M. armes, of the reduction of Canada and Nova Scotia to H.M. obedience, and all the trade of Naval Stores, enough for all Europe, will be entirely in H.M. disposition, and if a Peace should intervene, it is humbly prayed that H.M. will insist upon the rendition of Quebeck, Port Royal, and ye dependencys. The standing in armes of abt. 3000 men in all these Northern Provinces during the whole summer, and the march of the one halfe of them to a place called Wood Creek (100 miles from Albany) where they rayased a fortification and dwelt four months, so amused the French that they have stood in their armes all summer, and not suffered any party's of their own, or the Indians to march upon the frontiers, as in all times past, so that I am got into the winter, which is my time to visit them, if to be found, and my snow shoes are ready to march upon every intelligence of their motion to their hunting ground, about 200 miles distant from this place, where tho' we do not always meet them, yet they see our tracks and are sensible so much of their danger, that in August last 50 famyls of the Eastern Rebels, who have been perswaded by the French to forsake their allegiance to the Queen, marched from Panobscott in the East to the Maquas Country, which must needs be 6 or 700 miles, and in the presence of some Gentlemen from Albany acquainted the Maquas that they had been drawn into the war by the French missionary's, that Mr. Voudreuil, the Governor of Quebeck, promis'd to support them, and march halfe French with them, in their expeditions,

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but instead thereof he had neglected them, and they were all driven from their country these seven years past by the New Englanders, and had not gotten one bushell of corne in all that time, and were now come to dwell under the Maqua's feet. However, the Maqua's told them they were Rebels, and had murdered their bretheren of New England, and they would not receive them, and forced them to proceed to the Sinnekar's, the furthest of ye Five Nations, where they are settled, and I hope I shall not have any further trouble with them, so far as their number will go, because the Sinnekar's will be their masters, and while the Five Nations maintain their friendship with us, we must be safe of them, but there is danger of the whole body of the Maquas least they desert us, upon the faylure of this years expedition, they are an eager, jealous, false people, and are very hardly steadyed in their dependance upon New York, the French missionaries are so constantly amongst them. I hope Col. Nicholson and Capt. Moody are arrived long before this date, who came hither Voluntiers in H.M. service for the expedcon. to Canada, and who I am well assured will justly represent the readiness and obedience of these Provinces to H.M. commands for the Expedition to Canada, and humbly to represent the great cost of that preparation, and to pray H.M. most gracious consideration and assistance in the past charges as well as the further proceeding in that expedition, for the removal of the French Colony's of Quebeck and Nova Scotia, without which it will be impossible for us to proceed either in our trade at sea or our inland settlements, which the industrious people of these Provinces are very capable of, and ready to proceed in to the advantage of Great Britain, as well as the quiet and repose of the inhabitants here. I have since my last letters by Capt. Riddell, the honour of three of your Lordships' letters, the first is dated Jan. 12, 1708, the first clause whereof refers to Naval Stores, *etc.* I most humbly acknowledge your Lordships' favour to me in acceptance of my service therein. I shall continue it with utmost diligence, as your Lordships sees in the New Hampshire Act referring to the paymt. of tarr into the Treasury in all publick taxes sent home with Capt. Riddell, and the other Law in the same Province, putting the penalty of £100 for any breach upon ye dimensions of mast trees. I have not yet made any further process in the Assembly of the Massachusetts to obtayn it to be enacted there, because at the same time that I represented that matter to your Lordships, I also gave my Lord Sunderland account thereof, as was my duty, and his Lordship in his answer, Aug. 4, 1709, after his very favourable acceptance of my service to H.M. in the buisiness of Naval Stores, seems to be of opinion that I had better have omitted the offer to the Assembly of the Massachusetts, and let it have rested upon the provision in the Charter, as being sufficient agreeable with what your Lordships have written, which I humbly confess I had better have done, if I had expected the least doubt or delay in the Assembly's obedience to the very words of the Charter, which I keep strictly unto for fear of any demur, but my reasons why I offered it, I shall humbly submit

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to your Lordships' censure, and do therein further as your Lordships shall command me. Upon an action and presentment of a trespass by Mr. Bridger, H.M. Surveyour, brought against certain tresspassers, the partys pleaded that there was no Law of the Province enacted and published whereby they were made breachers, and secondly that Mr. Surveyour was not in Law the prosecutor so established and declared, both which exceptions, tho there be nothing in Law of weight in them, prevailed with the Court, and therefore I thought to obviate and remove them by this Act, which was also Mr. Bridger's earnest desire, that he might proceed with the less difficulty. I humbly refer the matter to your Lordships' consideration, and shall do therein as your Lordships command. The buisness of Councillours for New Hampshire mentioned in that letter labours still. I have but seven in that list, two of them near four-score, and Waldron, Hilton and Smith have not yet taken out their warrants, if Mr. George Vaughan, who lately attended your Lordships, and George Jaffryes were admitted, or all five of them, it would be a service to the Province, they are men of the best estates and loyalty in the Province, and without some of them, in case of the death of Mr. Coffin and Mr. Ware of the great age I mentioned above, I shall with difficulty get a quorum of the Council for ye necessary service of the Province. The Act referring to a duty upon negroes, imported, is a clause in an Act *to prevent a spurious issue*, brought in upon several complaints that several negroes had lain with white women, and has been since transmitted in 1706 by Capt. Matthews, and in 1707 by Capt. Stucley, and Mr. Secretary Pople acknowledges the receipt thereof in his letters on file, and tho' the reason that I formerly assigned of negroes running from us seems to be equal with Carolina and other Colony's, the force of it continues because they will always run to the Southward for warme weather, and as the cold is disagreeable to them, so it demands of ye master much more cloathing, and gives him much less service for 6 months in the year.

Your Lordships' next letter is of Feb. 11, 1708, referring to H.M. bounty in the supply of ordnance and stores for ye Province of New Hampshire, wch. are all since well arrived and disposed by a Committee, Major Vaughan of H.M. Councill, Mr. Penhallow Treasurer and Commissary General, and Capt. Hunkins Speaker of the Assembly. The Ordnance in the fort, and the powder in two places for fear of danger. *Refers to enclosed accounts etc. also sent to the Board of Ordnance.* Your Lordships' last letter is of March 28, 1709, referring to the further encouragement of the production of Naval Stores, and to have consultation thereupon, in obedience where unto I have had several meetings of the principal merchants and traders in those commodities, and inclosed is what they have humbly to propose. I shall not fayle to use all possible endeavours to better those commodity's, and encrease the trade of them, but while the war lasts, it will not rise so fast, the tarr burners are forc't to straggle in ye woods, and are often in danger of the enemy where they work, as well as that they are necessarily taken off from their labour into the

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service of the war, to guard the frontiers, and this year especially to that degree that every fifth man in the Province was obliged to serve, there being 2000 of this Province in armes, and our lists of the whole in ordinary make but 10,000. I hope Mr. Bridger does me right to acquaint your Lordships that in all his visitations he has as often as he desires, guards of musquetiers and troopers to secure him (as I have myselfe) and wa[rrants] to all Sheriffs, Constables, etc. to assist him in seizing and discovering any trespass, and securing the trespassers, [there] is yet some misunderstanding between him and Mr. Collins' Agents, whose warrants to provide masts for [H.M.] service are come to hand, but there is yet but one ship of three arrived to take up the masts, which [if] kept too long in the posture they are here in, will suffer damage, how the delay of the ships happens, we [have] here no account, unless that they are otherwise diverted, and if so, other ships must be gotten, least [the masts] be hurt by the Indians, or suffer wth. being undrest, or by lying part in and part out of ye water, I am [sensible] the bringing home of masts at this time is a great service to H.M., and therefore have [thought it] my duty to cover the labourers in the woods, wth. good guards, these seven years past, without [which they] must have been left to the enemy, every day they used an axe in the woods, and I should [be sorry], after all that labour, any of them should be lost. I am informed there is before H.M., I suppose at your Lordships' Board, a complaint [from] the Government of Connecticut, referring to the line parting the two Provinces. The General Assembly here have earnestly desired that they may be heard thereupon, and doubt not to sett that matter [in a] true light to H.M. satisfaction. The question is 70 year old, and nothing [new since my] arrival, nor am I any otherwise concerned in it then to know H.M. pleasure and see it [obeyed]. I shall trouble your Lordships but with one short article or two more, the first is ref[erring to the] supply of H.M. ships of war with men, which notwithstanding the late Act of Parlia[ment] forbidding the takeing of any men out of privateers or ships tradeing in the Plantations, and notwithstanding the heavy war upon these Provinces by the French and Indians, as well upon the frontiers inland as upon the coast by sea, which the last year employed so many, H.M. Commanders of the men of war, particularly Capt. Teate now returning thinks himselfe hardly dealt with that he has no men supplied to him from hence, which is impossible for me to do, unless I take the Planters from the plough or tradesmen from their stalls, notwithstanding I have allowed him to beat up his drums for voluntiers, and encouraged him to see his Fleet [well] man'd, and to borrow in case of necessity a man or two out of each ship, it being for their own [defence], and to restore them again at his first port in Great Britain, which is all that is in my [power] since the Act of Parliamt. has otherwise provided for his supply. I should be wanting to my duty if I should not here subjoine that Capt. Teate, for the three [years] last past has behaved himselfe with all diligence and to my satisfaction in his at[tendance] upon the coast. The other Article is referring to

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1000 small armes that H.M. of [*her great*] bounty and favour sent hither for the expedition to Canada, and with which 1000 effec[*tive men*] were armed for that service, and are now taken and secured by the officers, that they may [*if that*] service do not proceed, be taken in and kept at H.M. Castle of this place, for the d[*efence of*] the Province in any future expedition, which will be a great strengthening of the Country, and [*always*] ready for ye service, and if otherwise absolutely given to the soldiers, as by some is expected, [*will be*] soon lost or disposed, beyond any power of the Governmt. to bring them into the service [*again*]. I humbly submit this Article to your Lordships' consideration, to move H.M. there[*in if it*] be agreeable to your Lordships' better judgment therein. My Lords, in the defence of this Country these seven years past, I have done the utmost to defend [*the*] Province, and have had good success therein, and have endeavoured to put forward the rayseing of Naval Stores, and in this last summer have had my quota of men superiour to any H.M. Governmts., my neighbours, and shall not faile, if I may have H.M. commands for the revival of that expedition, and I humbly pray that my service may be acceptable to your Lordships, and that your Lordships will please to represent me well to H.M. Signed, J. Dudley. Endorsed, Recd. 3rd, Read 20th April, 1710. 3 large closely written pp. Edges rubbed. Enclosed,

81. i. Principal Merchants of the Massachusetts Bay to Governor Dudley. *Proposals* for the further encouragement of Naval Stores from New England. The premium to be paid in a short set time. Convoys to sail in April. Fixed prices to be paid for stores delivered in the Thames and such stores to be certified by the Surveyor General before shipping, as fit for H.M. service, and accepted as such in H.M. Stores. *Endorsed as preceding.* 2 pp.
81. ii. List of causes and judgments in the Inferior Courts in New England, 1708, 1709. *Endorsed*, Recd. April 3rd, 1710. 22 pp.
81. iii. Account of charges accruing to the Massachusetts Bay, from the intended expedition to Canada :—

	£	s.	d.
To wages and subsistence of 973 officers and souldiers, May 18–Oct. 14 ..	12927	18	8
To wages and subsistence of 3 Ministers 19 weeks .. .. .	70	6	0
3 doctors and assistants etc. 5 months..	403	11	1
To an acct. of coats, given by ye Generall Assembly to the souldiers, each of them one, further to encourage ym. in the service .. .. .	888	0	3
To the hire of transports, etc. 5½ months	5272	10	9
To an acct. of beer and water with cask, etc., put on board the transports..	669	4	10
To an acct. of fitting transports, etc...	467	7	1

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To 16 whaleboats etc. . . . .	160	0	0
To a sloop equipp'd for warr improved in convoying provisions for the expedition, taken by the enemy, her value wth. wages and subsistence ..	815	10	0
To 2 vessels equipt to guard the coast, H.M. having ordered the <i>Province</i> galley to attend ye expedition, their wages etc. . . . .	1701	17	0
To provisions (wth. utensils etc.) on board the transports .. . . .	5301	6	8
To 38 drums with cases .. . . .	83	12	0
To building of barracks to entertain the forces .. . . .	106	5	8
To charge upon 6 Maquas that came down to see the fleet .. . . .	109	0	0
To an acct. of clothing shipp'd for the expedition .. . . .	1715	2	6
To ammunition .. . . .	120	0	0
	<hr/> £30,811 12 6		

Dated at the Commissaries Office, Boston, Oct. 12,  
1709. *Signed*, Andr. Belcher. *Endorsed as preceding*,  
1 p.

81. iv. Account of Ordnance Stores and of powder spent,  
Fort Anne, Salem, June 24, 1709. *Signed*, Stephen  
Sewall, Capt. *Same endorsement*. 1½ pp.
81. v., vi. Account of Ordnance stores and of powder spent  
at H.M. Fort at Marblehead, June 24, 1708-1709.  
*Signed*, Edward Brattle, Capt. *Same endorsement*.  
1½ pp.
81. vii.-ix. Account of Ordnance Stores and of powder spent  
at Fort William and Mary, Newcastle, New Hampshire,  
June 24, 1708-1709. *Signed*, Shadrach Walton. *Same*  
*endorsement*. 3 pp. (including duplicate).
81. x., xi. Account of Ordnance Stores and powder spent at  
H.M. Castle William, Boston, June 24, 1708-1709.  
*Signed*, Adam Winthrop, Capt. *Same endorsement*  
1 p. (including duplicate).
81. xii. Proclamation for a General Fast, Sept. 15, in the  
Massachusetts Bay upon occasion of the scorching  
drought and the losses and delay of the Expedition  
against Canada. *Signed*, J. Dudley. Boston, Aug.  
27, 1709. *Printed*. 1 p.
81. xiii. Proclamation for the recovery of deserters from  
H.M. ships. 20s. reward offered for each. *Signed*,  
J. Dudley, Boston, Oct. 20, 1709. *Printed*. 1 p.
81. xiv. Proclamation for a General Thanksgiving in the  
Massachusetts Bay, for the great measure of health  
vouchsafed, a more plentiful harvest than could reason-  
ably be hoped for by reason of the sore scorching  
drought, and protection of open towns from the

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- insults of the enemy, etc. *Signed*, J. Dudley, Boston, Nov. 5, 1709. *Printed*. 1 p.
81. xv. Duplicate of No. 81 i.
81. xvi. Address of the Governor, Council and Assembly of New Hampshire to the Queen. Portsmouth, Dec. 6, 1709. Return thanks for the stores of war sent them, and the dismissal of Mr. Allen's claim to the soils *Continues* : And whereas your Majesty out of a gracious regard to this and other your Provinces in these parts of America, was pleased to forme a designe against the French settlements at Canada and Nova Scotia, but a more important service in Europe requiring your Majesty's forces, which were intended hither, whereby that designe is laid aside for the present, wee most humbly pray your Majestie that it may consist with your Royal pleasure to revive the said designe, and that the expedition lately intended may be prosecuted seasonably the next spring, and that your Majesties armes in America may have a like glorious successe as in Europe, to the utter confusion of your enemies and lasting repose of all your Majesties good subjects inhabiting this Continent, etc., etc. *Signed*, Cha. Story, Secretary ; Mark Hunkin, Speaker. *Endorsed*, Recd. April 3, 1710. *Copy*. 2½ pp.
81. xvii. Address of the Governor, Council and Assembly of New Hampshire to the Queen. Portsmouth, May 12, 1709. Your Majesties most loyal and dutiful subjects of this poor Province are deeply sensible of your Majesties favour and justice in the dispatch and decision in the tryal between Mr. Allen and Mr. Waldron referring to the estate of land of the said Waldron, wherein all the proprietors of this your Majesties poor province are equally concerned, and which has been in the challenge of Mr. Mason and Mr. Allen for 30 years last past, tho' the same was long before that planted and subdued by your Majesties good subjects now here inhabiting, and by themselves and their fathers and predecessors defended with their lives and estates for more than 60 years past and to this day. *Return thanks for powder, feild peices and stores*. And above all wee are unspeakably indebted to your Majesties' great care and concerne for the preservation and defence of your Majesties good subjects, the inhabitants of these parts of America in formeing the present designe against the French settlements at Canada, etc., of which wee are advised by Col. Nicholson and Col. Vetch, to the promoteing whereof wee hold ourselves in duty bound to contribute our utmost endeavours, being well satisfied the successe of this undertakeing will produce a lasting quiett and repose of all your Majesties' Provinces in New England. And further wee with all admiration adore the Divine power in the glorious successe of your

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Majesties' armes in Europe, and pray to Almighty God the same may attend them in America, *etc.* *Signed*, Cha. Story, Secretary, John Pickerin, Speaker. *Same endorsement.* *Copy.* 1 $\frac{3}{4}$  pp.

81. xviii. Governor Dudley to Wm. Vaughan, Saml. Penhallow and Mark Hunkin. Gives instructions as to the proportion of Ordnance, ammunition *etc.* to be issued for New Hampshire, and the disposition thereof. *Signed*, J. Dudley, Boston, Oct. 15, 1709. *Same endorsement.* *Copy.* 3 pp.

81. xix. Duplicate of preceding letter, without details. [*C.O.* 5, 865. Nos. 36, 36 i.-xix.; and (*without enclosures*) 5, 913. pp. 169-192.]

Jan. 31.  
Boston in  
New England.

**82.** Governor Dudley to Mr. Popple. *Refers to preceding.* I must be pardoned for my long letter because I can write but once a year, there being no other safe conveyance for our great bundles of papers. I had your letters in the spring, dated July 23, 1709, with my own packets, and those for York, Maryland and Virginia, which I carefully and speedily dispatcht. It has been a very hurrying year, besides my standing forces, to keep 1200 men in arms for 6 months, tho' I hope for the same to be repeated next month, *etc.* *Signed*, J. Dudley. *Endorsed*, Recd. 3rd, Read 20th April, 1710. *Addressed.* *Sealed.* 1 p. [*C.O.* 5, 865. No. 37; and 5, 913. pp. 192, 193.]

[Jan. 31.]

**83.** Samuel Brise to the Council of Trade and Plantations. Further memorial giving details of illegal trading with St. Thomas and Curaçoa. *cf.* Jan. 19. *Signed*, Samuel Brise. *Endorsed*, Recd. Read Jan. 31, 170 $\frac{9}{10}$ . 1 $\frac{3}{4}$  pp. [*C.O.* 388, 12. No. 72].

Jan. 31.  
London.

**84.** Mr. Dummer to Mr. Popple. Gives sailings of the *Sophia* packet, out and home, 110 days. What of publique matters occurs in the West Indies by this packett boate, wholly concernes the multitude of privateers upon and about the Leeward Islands, by whome they fear every day to be plundrd, as Estatia has been. And from Jamaica they say their trade with the Spanyolds is nearly ruined by our owne privateers, for under that licence all Nations, French, Dutch, Spanish and English consort together, and have settled upon some of the Sambola Islands to above 500 strong, and are comanded by one Capt. Mitchell, a privateering fellow from the Canaries. Brigadier Handasyd has sent out proclamations to pardon all that will come in to little effect. The Governor of Carolina gives commisions to ye same purpose, who come and man at Jamaica as a small vessell lately did, and carryed away 100 stout fellows upon the same adventure, which tends to the ruine of all our trade, and breeding a nest of pyrates. *Signed*, E. Dummer. *Endorsed*, Recd. 3rd, Read 9th, 170 $\frac{9}{10}$ . *Addressed.* 1 p. [*C.O.* 323, 6. No. 96.]

Jan. 31.

**85.** Mr. Campbell to the Council of Trade and Plantations. *Reply to enquiry as to convoys needed for the Newfoundland*

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Fishery. I believe that protection by sea only hath never been sufficient either to encourage or secure that Fishery, especially since the French possess't themselves of Placentia, and the warr broke out. For I look upon the advantage that merchants reap by a consumption which the inhabitants of that Colony make of manufactures and other goods imported thither from £50 to 100,000 annually. And the dependance they have on the industry of these inhabitants who provyde at least one half, if not two thirds of all the fish and train oyle throughout the year, to be very main and solid encouragements of that Fishery. Those inhabitants when duely protected make not only from 70 to 80 quintalls of fish per boat even in ye winter season, and then cutt and prepare timber for stages, boats, flakes, oares *etc.*, and go a furring, but early in the spring they make much greater quantities of fish and train before the merchant-ships and men of warr can adventure on that coast, all which they find ready when they come in barter for the provisions and comoditys they bring. *Refers to French raids from Placentia in the winter, and in summer too, burning the settlements and carrying away the fishermen in the hight of the fishing season, even when the men of warr and merchant ships are there.* The present condition of the inhabitants is very deplorable. The people, besides their former sufferings, are much impoverished by the insults and exactions of the French last year, and lye now exposed to ye mercy of the enemy without Forts, arms or ammunition, and very little provisions, while the enemy is growen stronger. The stone wall round Placentia is finished, severall new fortifications added and furnished with ye arms, ammunition and provisions of St. Johns Fort and Castle, the garrison increased with 200 men from old France, who designed to possess themselves of the English settlements last spring, and may not improbably now accomplish it, or at least bring the people under new contributions for the ensuing fishing. A regular strength and force at land summer and winter is [*therefore*] absolutly requisit to maintain that Fishery. My opinion is, that a regular Fort be built in ye most convenient place and established with a garison of 150 men at least, from whence the other harbours may receive assistance in ye summer, and to which ye inhabitants may all safely retire with their effects in the winter. And I have been informed by a great many competent judges, such as Sr. John Gibson, Capt. Moody, Dr. Fleming, Mr. Archibald Cuming, my brother, and severall masters of ships, that Ferryland is the most proper place, and all these gentlemen together with Col. Nicholson have told me that a fort at St. Johns is not capable of answering these ends. The present precarious state of that Colony, and the ignorance and uncertainty that merchants remain under about the security thereof for the futur will discourage them from sending any considerable number of ships thither this year, either to make or purchase fish, however some will no doubt run all hazards and go, and therefore the usual compliment of convoys, at least, should proceed thither, two whereof to saile from Plymouth by the beginning of Aprill at furthest,

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for ye early reliefe and incouragement of the inhabitants. More frequent occasions of correspondence between England and Newfoundland would be a very great advantage to that trade and Fishery, which may be performed by ye New York packet boats without any great expence of time or money. *Signed*, Ja. Campbell. *Endorsed*, Recd. Jan. 31st, Read Feb 3, 170<sup>9</sup>/<sub>10</sub>. 3 large pp. [C.O. 194, 4. No. 116.]

Feb. [?]  
Boston in  
Newfoundland.

**86.** Mr. Bridger to the Council of Trade and Plantations. *Repeats*, with some additions, his complaints of last year as to the waste of woods, and the inconvenience of H.M. being excluded from cutting masts in private grants or townships. *Desires* instructions therein. *Requires* a deputy, *etc.* As to Naval Stores, there is none in this Fleet, except masts. The merchants have met with such discouragement in tar, pitch, *etc.*, that they wholly decline it, except what your Lordships wrote to the Governor last year encourages them to proceed. I last 5th of Sept. receiv'd a letter from the Governor directed to the merchants trading in Naval Stores, on which I mett them several times, and have last night agreed to some particulars. *Refers to enclosures.* I am in great hopes when the people here in the respective countys are satisfied by demonstration, that it will be their interest to make tar, pitch, *etc.*, they will set on it heartily, and answer H.M. expectation. I printed directions for the making of tar two years since, but that have not prevailed; they want to see the operation, and then they say they will goe to worke, as I formerly acquainted your Lordships, *etc.* This would divert them from spinning their own wool, for I have experienced that a man shall earne as much money by making of tar, that will buy two coats in the same time that he's spinning and weaving wool enough to make one, and nothing will give such life to this designe as H.M. takeing all stores of their hands at a stated price; and as well that the survey of such stores should be made here, is what they all very much insist on, for they say, if the stores must recieve its probation at home, if not liked of then, wee loose all as freight, insurance, petty charges and prime cost, *etc.* Another thing which will greatly add to this designe is a peace, then wee can goe into the woods and places proper for the makeing of tarr, *etc.*, weh. now is noways safe by reason of the Indians, *etc.*, *etc.* Mr. Collins' Agent has cutt a great many masts above his contract, though allways forbid by me and deputies. I this last Dec. seized 20 large masts, from 27 to 34 inches diameter, the largest of their contract is 26. But in contempt of the seizure and the Queen's Commission, Mr. Collins' Master immediatly loades some of them masts and they are now on board the *Prince*, and many others above contract and bowsprits, which the contract doe not mention one word of. Hundreds of masts cutt two years since by the said Agent, which are in contract, are in a perrishing condition in the River of Piscataqua, for want of being carried home, *etc.* Yet Mr. Collins hath not yet delivered one mast into H.M. stores. Mr. Mico's mallice is as great as ever, and reports all over the countrey he will turn

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me out, if it cost him £10,000 ; he endeavours to discourage the merchants from engaging in the production of Naval Stores, *etc.* *Prays* for their Lordships' favour as to the seizure, and for consideration of his travelling charges, *etc.* *Signed*, J. Bridger. *Endorsed*, Recd. 3rd, Read 21st April, 170 $\frac{9}{10}$ . 7 *closely written pp.* *Enclosed*,

86. i. List of masts contracted for by Mr. Collins with the Navy Board, May 3, 1707, *etc.* 1 p.

86. ii. Certificate as to Mr. Bridger's travelling in the woods *etc.* *Signed*, J. Dudley. Boston, Feb. 4, 1709 (10). *Same endorsement.* 1 $\frac{1}{4}$  pp. [*C.O.* 5, 865. Nos. 42, 42 i., ii., ; and 5, 913. pp. 208-222.]

[Feb. 1.] **87.** Reasons offered by Colin Campbell for fortifying of Ferryland. *Signed*, Colin Campbell. *Endorsed*, Recd. 1st, Read. 3rd Feb., 170 $\frac{9}{10}$ . 2 pp. [*C.O.* 194, 4. No. 117.]

[Feb. 1.] **88.** Reasons offered by Mr. Cumings for the same. *Signed*, Archd. Cumings. *Endorsed as preceding.* 1 p. [*C.O.* 194, 4. No. 118.]

Feb. 1. **89.** Account of losses sustained by Mr. Colin Campbell in Newfoundland, Jan. 1705 ff. *Total*, £10,737 2s. 6d. *Attested* by his brother, James Campbell. Copied by Colin Campbell, June 5. *Endorsed*, Recd. Read Feb. 1, 170 $\frac{9}{10}$ . 8 $\frac{1}{4}$  pp. [*C.O.* 194, 4. Nos. 108, 108 i.]

Feb. 1. **90.** Affidavits by Colin Campbell, July 27, 1709 ; Capt. John Moody, April 14, 1709 ; John Jackson, Clerk, April 14, 1709 ; and Archibald Cumming, Jan. 25, 1709 (10?). The whole *endorsed as preceding.* 7 pp. [*C.O.* 194, 4. Nos. 109-112.]

Feb. 1. **91.** The Mayor of Exeter to Mr. Popple. The recovery of  
Exon. ye Newfoundland trade wilbe greatly advantagious to this  
countray, and this becomes evident to us, when we compare ye  
riches, populousness and splendor of our Southern Ports, and the  
great numbers of seamen, with the poverty and thinness of  
inhabitants that now appeares in most of them, *etc.* *Signed*,  
Edward Collyns. *Endorsed*, Recd. 3rd, Read 7th Feb., 170 $\frac{9}{10}$ .  
*Addressed. Sealed.* 1 p. *Enclosed*,

91. i. Merchants of Exmouth trading to Newfoundland to the  
Mayor. There are now Fower ships prepareing to go to  
Newfoundland directly on the Fishery, and more will goe  
provided they can meet with fishermen and seamen.  
Wee conceive it necessary for 3 men of warr at least to  
goe as convoys to the shipps that shall goe to the  
Land from the South and North Channell, and to protect  
them in there Fishery, at the harbors of St. John and  
Ferriland and Trinity, and that the said convoys be  
ready to saile by March 1st, least wee should suffer  
as the last yeare by arriveing soe late. It's alsoe very

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necessary that 3 other men of warr may bee ready to depart by June 10th, with the shippes that goe as sacke, wch. with the 3 men of warr aforementioned maye convoy the shippes from the land to there markets, and alsoe those which shall returne home with traine. It's our opinion that many more shippes would goe, if there was noe feare of the Frenche retorneing againe to take our harbours, which are unprovided of garrison, and only a few planters left for its deffence, for wch. reason may require more forces to bee sent. [*C.O.* 194, 4. *Nos.* 119, 120.]

Feb. 1. **92.** Mr. Popple to Mr. Burchett. Encloses extract from Mr. Whitehall. Jackson's letter concerning Naval Stores (*v.* Jan. 24), with some queries thereupon, for the opinion of the Commissioners of the Navy. [*C.O.* 389, 21. *pp.* 39-43.]

Feb. 2. **93.** President and Council of Maryland to the Council of Maryland. Trade and Plantations. *Enclose* Laws and Journals of the last Session of Assembly Oct. last. *Continue*: The most of the Laws being private, are of little moment. and those that are publique are very few and only what seem'd absolutely necessary, wee having refused to enact any of consequence in the absence of a Governor in chiefe. The Province in generall is in greate peace and tranquillity, and wee will heartily endeavour the continuance thereof, *etc.* Col. Francis Jenkins and Mr. Philip Lynes, Members of H.M. Councill, are lately dead. *Signed*, Edw. Lloyd, W. Holland, Will. Coursey, Tho. Ennalls, Sam. Young, Tho. Greenfield, Cha. Greenberry, Jas. Hall. *Endorsed*, Recd. Sept. 23, Read 25th Oct., 1710. 1 *p.* *Enclosed*,

93. i. Address of the Delegates of Maryland to the Queen. *Quote* Acts for regulating ordinances *etc.* 1662 ff. *Concludes*: True it is the assembly by an Act, 1694, did give the profitts arising from Ordinary lycences to Sir T. Laurence, which is the first Law which ever gave such fines to the Secretary: which Act was temporary and expired in 3 years; and altho' the Assembly did afterwards by other Acts continue the same to the Secretary, yett it was always by temporary Laws, thereby reserveing to themselves the power of disposing of it as to them should seeme meete. And it being considered that the fees of the Secretaryes office of late are vastly increased through the multitude of business therein, and the lycences to Ordinary keepers not being any wayes enter'd or recorded in the Secretaryes Office, is unreasonable the fines arising thereon should be given or settled on him. This Dread Sovereigne is the true state of the case, and we doubt not will give your Majesty full satisfaction that Sir T. Laurence as Secretary has noe right to the fines on Ordinary Lycences, *etc.* *Signed*, R. Bradly, Speaker, and 38 others. *Endorsed*, Recd. Sept. 23, Read Nov.

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1st, Dec. 13, 1710. 1 large p. [*C.O.* 5, 717. Nos. 16, 16 iii.; and (*without enclosure*) 5, 727. pp. 184, 185.]

Feb. 2. **94.** President and Council of Maryland to [*the Earl of Sunder-*  
Maryland. *land*]. *Duplicate of preceding letter.* *Endorsed*, R. Sept. 9, 1710.  
1 p. [*C.O.* 5, 720. No. 7.]

Feb. 2. **95.** Mr. Lowndes to Mr. Popple. Encloses following for the  
Treasury opinion of the Council for Trade. *Signed*, Wm. Lowndes.  
Chambers. *Endorsed*, Recd. 4th, Read 10th Feb., 1710<sup>9</sup>/<sub>10</sub>. *Addressed*.  $\frac{3}{4}$  p.  
*Enclosed*,

95. i. John Rayner, Attorney General to New York, to the Lord High Treasurer. By the grants of the Duke of York and the several Governors, the greatest part of the Province of New York is granted away, and in great quantities to particular persons in fee, and not £100 *communibus annis* receiv'd in quitt rents by reason of the small reservations made, and the not enrolling, or the enrolments being lost of many patents, whereas if reasonable rents had been reserv'd they would probably now have supported the Government, for which there is no standing Revenue. In most of the patents there are conditions of improvements to be made in three or some other certain number of years, many of which have not been perform'd. The grants have been most of them made without any report from a Surveyor of the quantity, quality, or value of the lands, many of them not agreeable to the Governor's Instructions, and in several particulars, illegal, and by information there are several concealed lands, no general survey having been yet made. Petitioner could do considerable service to the Crown in asserting H.M. title to her lands and rents, was there wherewithal imprested for defraying the charges of such proceedings and survey. As Attorney, he has no other allowance than a bare salary of £150 per annum. He did depend upon a salary of £100 per annum usually paid there to ye Attorney, and £100 more as Advocate by an establishment made for the Admiralty Officers upon an accidental Revenue belonging to H.M. arising by certain Acts of Parliament against unlawfull trade (which is incumbent upon him to prosecute), for the first of which there is no provision, and the last the Receiver is not willing to pay without an order from hence. *Prays* for an order that he be paid the arrears of his salary out of the arrears of quit rents, which will be got by his means, and his growing salarys out of the said quit rents and accidental Revenue. The care of finding out lands for the Palatines and of advising how the grants are to be made will lye upon him as Attorney General; and the granting of patents to them gratis will be a great loss to

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him. *Prays* for consideration therein, *etc.* 3 pp. [*C.O.* 5, 1049. Nos. 156, 156 i.; and 5, 1122. pp. 159-164.]

Feb. 2. **96.** Lords Proprietors of Carolina to Governor Tynte. You Craven House. are to sett out and issue grants for 100 acres of land per head to these poor Palatines—Peter Harman, his wife and 3 children, Hanes Peter Steling, Katherine Shafner, Handerk Ponly, Haniah Katherine Ponly, Haniah Maria Elizabeth and Johannes Peter Steber—to pay 1 penny yearly quit-rent for each acre, after 10 years, *etc.* *Signed*, Craven Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. p. 238.]

Feb. 2. **97.** Same to Council of Trade and Plantations. We have Craven House. transmitted copies of extracts (Jan. 19) to our Governor, Major Edward Tynte, and have ordered him to make all the enquiry he can into illegal trade between Carolina and Curaçoa, St. Christophers, *etc.*, and to prosecute the offenders. We have given him directions not to suffer any Flaggs of Truce to trade during their stay at Carolina, nor to suffer any of them to come on shore to examine the condition and strength of the Province. We shall use our endeavours that the Laws relating to Trade and Navigation be strictly observed and put in execution, and whatever accounts Major Edward Tynte shall from time to time give us of his proceedings in this affair shall be carefully communicated to your Lordships. *Signed as preceding.* *Endorsed*, Reel. 3rd, Read 15th, 170 $\frac{9}{10}$ . 2 pp. [*C.O.* 5, 1264. No. 94; and 5, 1292. pp. 209, 210; and 5, 289. p. 239.]

Feb. 2. **98.** Same to Mr. Sale. We have reed. yours of Oct. 15 Craven House. last, and as to what you write concerning ye charges of ye sessions, we will take a little time to consider of it, and in ye mean time we order you to pay no mony but such as you have directions to pay in your Commission and Instructions, wch. you reed. at this Board from us. We do remember your request to us for the Register's Office of Deeds and Conveyances, but we can give no answer to that, till we have heard from our Govr. Mr. Tynte, who was to inform us of the nature of that office, and if the executing thereof by you, or any other person would not interfere with the power and authority already granted by us to the Secretary of our Province. Mrs. Blake as guardian to her son has a right to an 8th part of the profits of a Proprietorship, but that matter must be adjusted at our Board here, and the incident charges belonging thereunto must be divided and then wtever. shall appear to be due to her in the right of her son, when a dividend shall be made, shall be return'd or paid to her according to her order, but in ye meantime we think it reasonable for her to pay her quit rent and purchase mony as other persons do. We lately gave an order to permit ye lands belonging to Col. Tho. Colletons Barony to be divided, but whether those lands were ever purchased or not will appear by ye records of ye Province, and if there are no records to testify ye same, they must pay a

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penny an acre till they are purchased. We think it adviseable for you to give publick notice yt. all persons who have already obtained grants for lands, if they do not within 6 months after such publick notice take up the lands so granted, it may be lawfull for any other person to take up and purchase the same. The Officers' sallaries and wt. payments you are directed to make by your Commission and Instructions are to be paid out of our Quit-rents, but all mony which you shall receive for ye purchase of lands, and what shall remain of our quit-rents after those payments made, you are to consigne to us, and to send them for London by the first opportunity every quarter of a year in rice or mony. *Signed as preceding.* [C.O. 5, 289. p. 240.]

Feb. 2. **99.** Lt.-Governor Hodges to the Council of Trade and  
Mountseratt. Plantations. Duplicate of Feb. 4, *q.v.* *Endorsed*, Recd. 3rd,  
Read 7th July, 1710. [C.O. 152, 9. No. 26; and 153, 11. pp.  
56, 57.]

[Feb. 2.] **100.** Certificate by merchants trading to Barbados, that the appointment of the Marshalls of the Courts of Common Pleas by the respective Judges, has been of very ill consequence in respect of the partial execution of writs. The influence of the Judges over Marshalls of their own appointment may be detrimental to trade. Their appointment, by H.M. Patent Officer will prevent those mischiefs. *Signed*, J. Colleton and 17 others. *v.* Jan. 26. *Endorsed*, Recd. 2nd, Read 3rd Feb., 170 $\frac{9}{10}$ . 1 p. [C.O. 28, 13. No. 15.]

[Feb. 3.] **101.** Extract of letter from John Le Gay to Geo. Gordon, Sept. 26, 1709. I have been Marshall of the Bridge Court, Barbados, for almost 8 years, untill the present Governour and Judges demanded money, and then I quitted my post, their demands being unreasonable. *Endorsed*, Recd. Read Feb. 3, 170 $\frac{9}{10}$ .  $\frac{3}{4}$  p. *v.* Jan. 26. [C.O. 28, 13. No. 16.]

Feb. 3. **102.** Governor Dudley to Mr. Popp<sup>le</sup>. *Refers to the differ-*  
Boston, *ence between Mr. Bridger and Mr. Collins' Agents, who say that*  
New England. *they proceed according to their contract with H.M. Because of*  
*a clause of uncertainty, some a little bigger for stowage, etc.,*  
*they think they may not be obstructed in cutting more and bigger*  
*(masts), and offer their bond to unload all in H.M. yards and submit*  
*to Her pleasure, etc. Mr. Bridger says they are to keep strictly*  
*to their warrants both for number and measure, that the un-*  
*certainty of the admeasurement cannot be intended to mean many*  
*more inches, etc.; that they ought not to have cut them, nor*  
*loaded them, nor ought to carry them away without H.M.*  
*direction, and that the rest of the masts that are cutt for want of*  
*shipping to fetch them away will be in danger of being lost, and*  
*by lying will be damnified. I am of opinion that the Surveyor*  
*says right, but since these masts are cutt and shipt and the Fleet*  
*ready to sayl, and the masts wanted at home, and will be spoyled*  
*here with lying as the rest will that are cut upon Mr. Collins's*

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acet., if they be not fetched away, I cannot see it my duty to stay them, without a judgment in H.M. Court, which Mr. Bridger has not seen reason to take, tho' I have allowed him to do as he pleased. If their Lordships please so to influence the matter that the contracts be for the future certain and express, and that the Officer be commanded to see all masts that are to be cut, (by himself or his deputies), and to seize and secure all such as are not expressed in the contracts, and then that he may be directed what to do with such sticks, that they be not lost by lying here, there will never be any more trouble upon that head. I have no manner of trouble with Mr. Taylor's Agents, Mr. Ichabod Plaisted is the undertaker, his brother John Plaisted serves Mr. Collins; I believe they are both careful to make no wast, but there is no knowing of a tree until it be down, and often ten are found defective, and not worth a penny for a mast, *etc.* Signed, J. Dudley. Endorsed, Reed. April 3, 1710. 1 $\frac{3}{4}$  pp. [C.O. 5, 865. No. 38; and 5, 913. pp. 193-197.]

Feb. 3, 4.  
Boston.

**103.** Governor Dudley and Col. Vetch to Lord Sunderland. We acquainted your Lordship, Jan. 9th, of Col. Schuyler and the Indian envoys having come this length on their way to Great Britain, in order to waite upon H.M. and your Lordships of ye Ministry to press the renewing the Expedition. We have written to Capt. Teate, H.M.S. *Reserve*, to take them on board *etc.* As this will occasion him some considerable expence, *pray* that he may be considered, *etc.* Signed, J. Dudley, Sam. Vetch. 2 pp. [C.O. 5, 9. No. 49.]

Feb. 3.  
Whitehall.

**104.** Mr. Popple to Mr. Carkesse. The Council of Trade and Plantations being of opinion that the illegal trade between the British Plantations in America and the Islands of Curaçoa and St. Thomas may in a great measure be prevented by two brigantines of 10 or 12 guns each to cruise off of those Islands upon proper stations, with power to examine and seize such vessels as shall be found trading contrary to law, desire to know whether the Commissioners of Customs have any objection to the sending such brigantines, or whether they have any other remedy to propose, *etc.* [C.O. 389, 21. pp. 50, 51.]

Feb. 4.  
Mountserratt.

**105.** Lt.-Governor Hodges to the Council of Trade and Plantations. On the 28th March 7 privateers fitted out from the French neighbouring Islands, having on board between 6 and 700 men made an attack on us about 10 in the morning and having landed some of their men finding they could not surmount the difficulties they were surrounded with were glad with a great deal of precipitation to reimbarke, leaving behind them a pair of collours and 3 prizners, which were taken alive, and we make no doubt but many of the enemy was kill'd and wounded in their boats in goeing off. Wee are well assured from the confession of the prisoners that their intentions was the night before to have surprized their landing, but that by the vigilance of our guards they were prevented, and allthoug it is to be

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recon'd that the safety of the Island is chiefly owing thereto, soe I cannot but observe that the continuing our men under their present disposition is not only a vast expence to the Island, but likewise a great fateague to ye inhabitants, *etc.* The countenance sometimes of one of the men of warr, whose station it is to attend this Governmt., would very much contribute to the safety of this Island and the trade that attends it, and consequently ease the inhabitants and lessen the charge they are at, *etc.* *Signed*, Anth. Hodges. *Endorsed*, Recd. 13, Read 19th April, 1710. 1 p. [*C.O.* 152, 9. No. 17; and 153, 11. pp. 18-20.]

Feb. 5. **106.** Order of Queen in Council. Copies of the complaints  
St. James's. against Governor Parke are to be sent to him, and he is to return to answer them before H.M. in Council, *etc.* v. A.P.C. II. p. 598. *Signed*, John Povey. *Endorsed*, Recd. 2nd, Read 15th March, 170 $\frac{9}{10}$ . 1 $\frac{1}{2}$  pp. [*C.O.* 152, 9. No. 13; and 153, 11. pp. 1-3.]

Feb. 7. **107.** Merchants trading to Newfoundland to the Council  
London. of Trade and Plantations. *As to convoys, propose* that one man of warr sail from the Bristol Channel, and two from Portsmouth by March 10, and 2 from the Downs May 10th; that 4 of them remain, one in Consumption Bay, one in Trinity Bay, one at St. Johns, and one at Ferriland; the other men of warr to cruise along ye coasts, *etc.* *Proposals* for return voyage.

And as there hath been for severall years past great divisions and dissentions in Newfoundland between the inhabitants and masters of ships, occasioned by the unhappy quarrels of Mr. Moody and Mr. Loyd, *pray that* the next C. in C. may be a stranger to these factions. *Signed*, Solomon Merrett and 15 others. *Endorsed*, Recd. Read Feb. 9th, 170 $\frac{9}{10}$ . 2 pp. [*C.O.* 194, 4. No. 123.]

Feb. 7. **108.** Mr. Bridger to Mr. Popple. Prays for his favour in the  
Boston. matters referred to No. 86. *P.S.* Since the seizure of the masts, Mr. John Mico offered me money to be silent in this affair, but I refused it, *etc.* *Signed*, J. Bridger. *Endorsed*, Recd. 3rd, Read 21st April, 1710. 2 $\frac{3}{4}$  pp. [*C.O.* 5, 865. No. 43; and 5, 913. pp. 224-227.]

Feb. 7. **109.** Mr. Popple to Mr. Burchett. Refers to letters of Jan.  
Whitehall. 21, 24. There will be between 50 and 60 fishing ships besides sack ships sent [*to Newfoundland*] this year; and in regard there is no protection at land, as there was in 1707, for the inhabitants and fishermen, since the Forts at St. Johns was ruined by the French, and that several of the Harbours even during the fishing season are frequently insulted and plunder'd by parties from Placentia, the Council of Trade and Plantations are of opinion that 6 ships of good force will be necessary to be sent this year under the same regulations and directions as in 1707, for the protection of this year's fishery. [*C.O.* 195, 5. pp. 127, 128.]

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Feb. 7. **110.** Same to Mr. Carkesse. Desires from the Commissioners of Customs an account of Naval Stores and premiums, *etc.* as  
Whitchall. Dec. 2, 1709. [*C.O.* 389, 21. *pp.* 51, 52.]
- Feb. 8. **111.** Mr. Carkesse to Mr. Popple. *Reply to preceding.* Dr.  
Custom House, Davenant has directions to prepare the said accompt. The  
London. allowance of the præmium is paid by the Commissioners of the  
Navy, *etc.* Signed, Cha. Carkesse. Endorsed, Reed. Feb. 9th,  
Read March 13th, 1709. Addressed.  $\frac{3}{4}$  p. [*C.O.* 388, 12. No.  
84; and 389, 21. *pp.* 84, 85.]
- Feb. 8. **112.** The Earl of Sunderland to the Governor of Jamaica.  
Whitchall. I send you the enclosed memorial of the Lords Commissioners of  
the Admiralty, whereby they desire that you may hire men to  
bring home two of H.M. ships, since the Law forbids the impressing  
of men for that service. You are to comply with what is proposed,  
*etc.* Signed, Sunderland. [*C.O.* 5, 210. *p.* 197.]
- Feb. 8. **113.** Lt. Governor Usher to the Council of Trade and Planta-  
Boston. tions. In mine June, July and Oct. lastt, gave accott. whatt  
then offered if design to Canada had succeeded, would have bin  
as greatt advantage to the Kingdome as if had Spain, because  
of the Fishery; the produce of weh. is remitted into greatt  
Brittain. By all Governmts. heartily wished H.M. would send  
a Fleatt and forces for takeing St. Jnos., portt Roiall and New-  
foundland; many vessells this last year taken on our coaste,  
carried into port Roiall; this winter being favorable, the French  
privateers take and drive in severall vessells on our coaste. I  
formerly hinted as to Actts of Parlimt. trampled on, respecting to  
coine; Act oblidging to pass att 17 $\frac{1}{2}$ , merchatts. saying they will  
regulate and shall pass att 15*d.*, by itt the country impoverished,  
merchtt. for £100 sterl. advance 200 p.c.; in time Great Brittain  
will suffer for there will nott  $\frac{1}{3}$  of woollen manufactory exsported  
goods dear; nott vend. by it moth ceizes the goods, shopkeepers  
haveing noe trade must break, all weh. falls upon the consigner,  
ye factour haveing formerly 5 p.c. makes 10 p.c. for comition,  
all loss upon the owner, all weh. occationed by mony goeing att  
15 dwt. For H.M. gracious favour in sending stoares to the  
Goverrmtt. New Hampshire, you will have from the Goverrmtt.,  
formerly writt if H.M. would take the soile of New Hampshire,  
as well as Goverrmtt., might be of service in secureing all trees  
fitt for mastts and timber for H.M. Navy, by reason of the greatt  
waste and destruction. They goe now 20 miles for mastts, as  
for the havock made, you will have from better hands then mine,  
weh. is very greatt. In July lastt, when by H.E. order, I wentt  
into the Province, I gave orders for Malitia officers in Hampton  
to se all persons doe there duty in garisons, ytt. belonged to  
Province, being within the 3 mile line, weh. accordingly they  
did. The persons being ascesed to the publick rates, refusing to  
pay, was committed, afterwards sett att liberty without  
paying. New Hampshire Goverrmtt. small, butt being H.M.  
Goverrmtt. hope may nott be lessned, butt there will be an

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order to assertt the bounds and preserve the same, the same formerly haveing bin run. By this conveyance you will have an Actt of Assembly made in Dec. lastt for £5000 to be pd. in 5 years time, £1000 every year, if yor. Lordshps. pleas to compare these Actts wth. former, you will finde a difference, formerly accott. of every particular sum, and to whom to be pd. ; exsprestt in ye Actt, and same always to be pd. in species ; now exsprestt for severall debts, subsistance and salarys, and £3000 bills of creditt for service of the province ; the rates to be paid in curantt mony or creditt bills ; and firstt sum of £1000 is to be pd. in Dec. nextt : all Assembly setting was butt £2000 due from province ; formerly would nott raise mony to pay debttts and now pastt an Actt for £3000 more then is due, and New Hampshire hath printed bills to vallew of £3000, and am informed ytt. ittts to maintain Law suite of Walderen, or getting a Charter for the province, soe to frustrate Mr. Allen as to his claime. The Act nott to take place before Decembr. hope H.M. will accept of the £5000 granted, and being exspressed paieable in curantt mony or bills, will rejectt the Actt for makeing of bills, soe whole sum may be aplyed to ffortifications, etc., as Queen may directt, itt being to be pd. in money. Formerly writt Treasurour had noe comistion for his place, nor given security for same. I thinck may be of service, a Treasurour comistioned from the Crown and have place Collectour for his suportt. : Secretary to have a comistion and Naval Officer, and perquesites may suportt him, and Treasurour, Secretary and Surveior of Woods to be of the Councill, by wch. means Governmtt. may nott be run down and Crown's interestt suportted, withoutt wch. will not. Actt saying for subsistance and wages of souldiers and paymt. of salarys ; there being recomended from H.M. to raise money for suportt of Governour and Lt. Governour : I haveing served many years, and never recd. one penny for same, hope H.M. will order a sum outt of sd. Actt (for can say uprightly have endeavourd to be faithfull in the place, and trustt reposed in me) and beg your Lordships' favour therein, *etc.* P.S. Am informed Genll. Assembly intend if possible to repeall Actt of £160 granted for yearly salary to the Governour dureing time of his Governmtt., if should, I thinck the Actt of £5000 partt for salarys, H.M. may lay hold of £3000. *Signed*, John Usher. *Endorsed*, Recd. 3rd, Read 20th April, 1710. *Sealed*. *Postmark*. *Addressed*. 1½ pp. [C.O. 5, 865. No. 39 ; and 5, 913. pp. 197-202.]

[Feb. 9.] **114.** Peter Holt to the Council of Trade and Plantations. Memorial relating to illegal trade between Curaçoa, St. Thomas and the British Plantations. *Signed*, Peter Holt. *Endorsed*, Recd. 9th, Read 21st Feb., 170 $\frac{9}{10}$ . *Holograph*. 5 pp. [C.O. 323, 6. No. 98.]

Feb. 9. **115.** Lords Proprietors of Carolina to Governor Tynte. The Craven House. bearer hereof, Mr. John Urmston having been well recommended to us by the Lord Bishop of London as a person of worth and

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learning, and very well qualified to do ye duty of a minister, we have agreed to send him over to North Carolina, and desire you to give him all encouragement *etc.* *Signed*, Craven Palatin, Beaufort, J. Carteret, M. Ashley, J. Colleton. [*C.O.* 5, 289. *p.* 241.]

Feb. 9.  
Craven House.

**116.** Same to same. We hope by this time you have enter'd upon yr. Government. We earnestly require your endeavours to reconcile the minds of the inhabitants to each other, that the name of parties, if any yet remain amongst you, may be utterly extinguished, for we can noways doubt but their unanimous concurrence with our labours for their prosperity will most effectually render Carolina the most flourishing Colony in all America. We think it adviseable for you to detain Col. Gibbs's Commission for Chief Justice in your custody till further order from us, Mr. Trott's Commission not being entered as it ought to have been by our former Secretary, we were not apprized of the manner of it: we did consent when you were here that Mr. Sale, our Receiver General, should act as Mr. Hyrne's Deputy Naval Officer, do you appoint him accordingly, but then Mr. Sale trading as a merchant, care must be taken that all vessels or goods wherein Mr. Sale or his partners are any ways concern'd do pay all such duties as are required by the Laws of Trade and Navigation. *Signed as preceding.* [*C.O.* 5, 289. *pp.* 241, 242.]

Feb. 9.  
Boston.

**117.** Mr. Bridger to Mr. Popple. *Repeats* complaints of waste of woods in New England owing to Mr. Collins' contract (*cf.* Jan. 31, Feb. [?] and 7th *etc.*), and of Governor Dudley supporting Mr. Mico, his Agent, *etc.* *Signed*, J. Bridger. *Endorsed*, Reed. 3rd, Read 21st April, 1710. 3 *closely written pp.* [*C.O.* 5, 865. *No.* 44; and 5, 913. *pp.* 227–233.]

Feb. 9.  
Whitehall.

**118.** Council of Trade and Plantations and Governor Bennett. Circular letter as Jan. 19. *q.v.* [*C.O.* 38, 6. *pp.* 487–489.]

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**119.** Col. Quarry to the Council of Trade and Plantations. *Encloses* copy of Act of Maryland mentioned in former letter. Col. Ingoldsby hath held a long session of Assembly. I could not bee there. There was an Act past in my Lord Lovelace's time for raising £1700 at 8s. per ounce, £800 of wch. summe was given to his Lordship, but on the death of my Lord, the Act was defective, this Assembly have appoynted the use of it, and have given Col. Ingoldsby almost all that was designed for his Lordship, besides the £200 wch. was given to himselfe. I have not had time to inform myselfe of what other Acts they have past, but by the next yr. Honors shall have them. I believe yr. Honour's Board will see the necessity of restraining all these Governmts. from passing any Acts in the absence of H.M. Governours, else those opportunities will bee improved to the Queenes prejudice, *etc.* There are a vast number of grants past in New Yorke Governmt., so that the next Governour will have nothing to doe of that

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nature, *etc.* *Signed*, Robt. Quarry. *Endorsed*, Recd. 21st June, Read 12th July, 1710. 2 pp. [*C.O.* 5, 1049. *No.* 158; and 5, 1122. pp. 168, 169.]

[Feb. 10.]

**120.** Mr. Byfield to the Council of Trade and Plantations. *Proposes* a contract for importing pitch and tarr from Carolina. *Signed*, Thomas Byfield. *Endorsed*, Recd. Read Feb. 10, 170<sup>9</sup>/<sub>10</sub>. 1 p. *cf.* B.T. Journal, Feb. 10 and N.C. Col. Rec. 1. 721. [*C.O.* 5, 1264. *No.* 93; and 5, 1292. pp. 208, 209.]

Feb. 10.  
Whitehall.

**121.** Mr. Popple to Mr. Burchett. Desires a farther protection for S. Brise (*cf.* Jan. 16). [*C.O.* 389, 21. p. 54.]

Feb. 10.  
Plymouth.

**122.** Mayor of Plymouth to Mr. Popple. Here are about 3 ships will be fitted out for Newfoundland, and severall more from our neighbouring ports, which will come hither to joyne the convoy, we are also inform'd that severall will goe from Lisbon and Isle May thither. A good convoy will be for their preservation and encouragement. There were severall ships left behinde the convoy in Virginia last year, and some are gone thither lately, all which will soone be ready to depart thence if a convoy were order'd to that place, for 'tis of great detriment to the owners and dangerous for the men and ships to lye there all summer, *etc.* *Signed*, James Bligh. *Endorsed*, Recd. Read Feb. 13, 170<sup>9</sup>/<sub>10</sub>. *Addressed*. 1 p. [*C.O.* 194, 4. *No.* 124.]

Feb. 10.  
Admiralty  
Office.

**123.** Mr. Burchett to Mr. Popple. Encloses a protection for Samuel Brise (*cf.* *No.* 121.) *Signed*, J. Burchett. *Endorsed*, Recd. Feb. 10, 170<sup>9</sup>/<sub>10</sub>. *Addressed*.  $\frac{3}{4}$  p. [*C.O.* 323, 6. *No.* 97.]

Feb. 11.  
Whitehall.

**124.** The Earl of Sunderland to Governor Handasyde. Recommends to his care that the effects of Capt. Fisher Wentworth, who died in Jamaica, may be remitted to his family, *etc.* *Signed*, Sunderland. [*C.O.* 5, 210. p. 197.]

Feb. 11.  
St. James's.

**125.** The Queen to Governor Parke. You are to repair to our presence on the first man of war bound home, after depositions have been taken and interchanged, *etc.* *cf.* Feb. 5. *Countersigned*, Sunderland. 4 pp. [*C.O.* 152, 42. *No.* 13; and 152, 9. *No.* 14; and 153, 11. pp. 9-14; and 5, 210. pp. 198, 200.]

Feb. 11.  
Boston.

**126.** Mr. Addington to Mr. Popple. The General Assembly have constituted the Honble. Sir William Ashhurst Knt. Agent for this Province. His Commission comes by this conveyance. Youle please to favour him in his attendance at yor. Board, *etc.*, *etc.* *Signed*, Isa. Addington. *Endorsed*, Recd. 3rd, Read 21st April, 1710. 1 p. [*C.O.* 5, 865. *No.* 41; and 5, 913. pp. 206, 207.]

Feb. 14.  
Whitehall.

**127.** Council of Trade and Plantations to Mr. Secretary Boyle. Enclose following to be laid before H.M.

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127. i. Council of Trade and Plantations to the Queen. *Report* upon the Swedish pitch and tar monopoly, *as* Jan. 24, *q.v.* The Commissioners of your Majesty's Navy have complain'd of these hardships and difficulties, and thereupon the like complaints have by your Majesty's commands been made at the Court of Sweden, yet we find that Trade does still lye under the same discouragements from the said monopoly, the Company taking it for granted that this Kingdom cannot be sufficiently supply'd therewith but from the Swedish dominions. And it appears by a letter from the Navy Board to Mr. Burchett of the 27th past, that though the Commissioners had then lately publish'd a day for treating for tar to be imported for the use of your Majesty's Navy the next year, nobody had appear'd to undertake the same, so that the supply of the Royal Navy with such stores is become very precarious, the prices greatly enhanced, and your Majesty's subjects deprived of the benefit of fetching the same from Stockholm. Which consideration gave rise to the *Act for encouraging the importation of Naval Stores from America*, and we find it so alarrum'd Sweden, that immediately upon it, the Company was obliged to fall the prices of their pitch and tar considerably. But when the Tar Company shall no longer apprehend any prejudice to their trade from that Act there is reason to believe their conduct will be such as may subject the trade for pitch and tar from Sweden even to greater hardships and difficulties. We concur with your Majesty's Commissary that the most effectual way to remedy such mischiefs is to have the Tar Company dissolv'd, and that Trade free and open as it formerly was, and that your Majesty's Minister at the Court of Sweden solicit the laying it open, *etc.*, *etc.*

Now forasmuch as this trade to Sweden has, during the late and present war, been carry'd on under great discouragements, and to the prejudice of this Kingdom, not only in regard of the hardships and difficulties already mention'd, but for that those stores have been bought either with money paid here, or by Bills of Exchange (since the British ships trading to those parts do mostly go out in balast), we are therefore humbly of opinion that for remedying thereof for the future, all due encouragement be given to the importation of these and other Naval Stores from your Majesty's Plantations in America. On this consideration it was that we took the liberty, Dec. 5 last, to propose the transporting and settling a number of the Palatines in those parts, to be wholly employ'd in the production of Naval Stores, and your Majesty having been pleas'd to approve thereof, we do hope that after some reasonable time, by such an addition of hands to those already employ'd

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in these manufactures on the Northern Continent of America, they may under a due care and good encouragement, be able to furnish sufficient quantities of pitch, tar, and other Naval Stores for the use of your Majesty's Navy, and the Navigation of this Kingdom, there being in those parts a very great plenty of trees, and other materials proper for that produce. We are sensible that for some time the tar made there, through want of skill in the manufacturers, had a burning quality, which made it unfit for tarring of ropes ; but of late that manufacture has been so much improv'd, that considerable quantities of tar imported from America have undergone the Navy proof, been receiv'd into your Majesty's Stores, and Bills made out to the importers thereof for the præmium allow'd by the foresaid Act. The Plantations lying at a much greater distance than Sweden does from this Kingdom, it must be granted that by reason of the difference in the charge of freight, those Plantation goods cannot be afforded here so cheap as what are brought from Sweden ; however in regard those from America are in return for the woollen and other manufactures of this Kingdom, whereas from Sweden they are bought with ready money, or bills of exchange, and that the shipping of this Kingdom may, as little as is possible, depend on being supply'd with Naval Stores by foreigners, tho' at cheaper rates, the importation of Naval Stores from America ought to be greatly encouraged. The freight at present from Sweden is but £3 per last, computing 12 barrels to the last, whereas from the several parts of North America it is from £7 10s. to £10 per tun, containing 8 barrels, which high freight does partly arise from the increase of seamen's wages occasion'd by their insecurity from being press'd to serve on board your Majesty's Fleet, wherefore we humbly offer that the said charge may in some measure be lessen'd, if all such ships as shall be dispatch'd from Great Britain to the said Plantations for pitch and tar, and shall return from thence laden therewith, be allow'd protections for their men (in like manner as by law are now allow'd to all ships employ'd in the coal-trade) if it shall be consistent with your Majesty's service, as we hope it may. A further cause of the increase of freight is from great præmiums paid for insurance of ships trading to the Plantations, which is at present 16 guineas per cent. without convoy, and half that sum, if with convoy. This charge might be greatly lessen'd, if good and regular convoys were appointed for that trade, with regard to the times of their departure from Great Britain and from the Plantations. For we have been inform'd by complaints from thence, that the Commodore, after he had given due notice of the precise day of his intended departure,

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(as requir'd by his Instructions) has sometimes been prevail'd upon privately to promise some Masters of ships to allow a further day, and thereby has given an opportunity to them who wanted their loading, to forbear agreeing with the Planters for the freight of their goods unless at very high freight, till the time first set for the Commodore's departure was near expired, so that the Planters, not knowing a further day wou'd be allow'd, rather than lose the opportunity of that convoy, were obliged to submit to whatever freight those masters demanded. Which practice wou'd be prevented, if the Commodore be strictly requir'd to sail at the time first by him prefix'd, wind and weather permitting, and not to prolong it at the instances of masters of ships. It wou'd be a further encouragement that two voyages were made in a year, which might be practicable, if the ships took their departure from Plimouth about the latter end of August, and return'd from America in the spring, whereby they will have the whole summer to perform a second voyage. And to the end ships employ'd in that trade may not lye long there for their loading, and the charge of freight be thereby increas'd, it will be necessary that all possible care be taken that a good stock of such stores be always ready to be put on board, so soon as the ships from Great Britain shall arrive. The freight of tar is much higher than of pitch, tar being apt to leak, and spoil other merchandizes stow'd with it, for which reason the masters of ships will seldom take in such goods, unless in ships purposely design'd for it, and then at a high freight ; so that there has been a much greater importation of pitch than of tar from the Plantations, whereas the consumption of tar is very much greater here than that of pitch, in regard to the navigation of this Kingdom. Therefore whatever encouragements shall be thought fit to be given, they should be distinguish'd in favour of tar (both as to the produce and importation thereof) which, as occasion shall require, may at any time be manufactured here into pitch, and thereby your Majesty's subjects of this Kingdom have the benefit of such manufacture. If sufficient encouragements be given to the manufacturers of naval stores, particularly of tar, the same will have a further good effect in drawing off your Majesty's subjects inhabiting in the Plantations, from the woollen, linnen and other manufactures, (wherein they have already made too great a progress) and the employing them wholly in that of Naval Stores ; whereby the Tar Trade may become the general trade of the Northern Colonies in America, and such a constant stock always ready, that ships may be loaded with little loss of time. By the forementioned Act, for every tun of tar and pitch a præmium of £4 is allowed, which

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præmium, however sufficient soever it may prove in time of peace, yet in time of war, we find, does not answer the intent of the Act, especially being paid by Navy Bills, (according to the course of the Navy) without any allowance of interest upon them: so that those bills are at present 35 p.c. or more worse than money, and above 12 p.c. worse than other Navy Bills payable in like manner, whereon an interest of 6 p.c. is allow'd after 6 months: which, as we have been inform'd by Mr. Bridger, has discouraged the manufacture of tar in New England; and several merchants here concern'd in that trade, with whom we have discoursed on this occasion, have expressed themselves to the same purpose. We therefore humbly propose that for the rendering the encouragement intended by the said præmium more effectual, the Commissioners of your Majesty's Navy be directed and impower'd to allow the like interest upon such bills as shall hereafter be made out by them for such præmium, as is allowed on all other Navy Bills. *Endorsed*, Read at the Cockpitt Feb. 18, Read at St. James', Mar. 19.

127. ii. Duplicate of Mr. Jackson's letter, Jan. 24. [*C.O.* 5, 3. Nos. 37, 37 i., ii.; and (*Representation only*), 5, 3. No. 38; and (*without enclosure ii*) 389, 21. pp. 61-71.]

Feb. 15. **128.** Council of Trade and Plantations to the Queen. Representation upon illegal trade carried on at the Isle of Man (*cf.* Jan. 18). *Recommend* that no debentures be allowed for tobacco exported thence, etc. [*C.O.* 389, 21. pp. 71-74.]  
Whitehall.

Feb. 15. **129.** Mr. Popple to Col. Hunter. Encloses letters to be forwarded to the Governments of Virginia, Maryland, Connecticut, the Massachusetts Bay and New Hampshire, etc. [*C.O.* 5, 1122. p. 158.]  
Whitehall.

[Feb. 15.] **130.** Merchants of the Port of Bideford to the Newfoundland to the Council of Trade and Plantations. The number of shipping designed from this Port to the Newfoundland being more than could well fish in the harbour of Faryland, (Fairmoose being thought next thereto the most securest harbour for defence of our trade from the enemy) *pray their Lordships* to represent it to the Admiralty that two ships of the fourth or fifth rate be at Millford at the end of February at farthest for convoying the trade and to protect our shippes in Faryland and in Fairmoose. *Signed*, John Clifton, Mayor and 43 others. *Endorsed*, Recd. Read. Feb. 15, 170<sup>9</sup>/<sub>10</sub>. 1 large p. [*C.O.* 194, 4. No. 125.]

Feb. 16. **131.** Council of Trade and Plantations to the Queen. Representation upon petitions of George Gordon and A. Skene against an Act of Barbados, 1667, *directing how Clerks and Marshals shall be appointed and what they shall receive.* Quote Representation of March 24, 170<sup>8</sup>/<sub>9</sub> *q.v.* and certificates of Jan. 26, Feb.  
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2, 3, 1710. In case your Majesty shall be graciously disposed to gratify petitioners in restoring them to the full enjoyment of the rights and perquisites of their respective offices by repealing the said Act, we have no objection thereto in regard, no person will suffer by such repeal, otherwise than that the fees which the judges and Petitioners are authorized to take by the said Act may no longer be demanded or received by virtue of that authority, wherein they may be relieved if your Majesty's pleasure be signified to the Governor or Commander in Chief there for the time being to move the Assembly that an Act be pass'd for settling a salary or reasonable fees on the several judges and for restoring to the clerks and marshals the fees mentioned in the foresaid Act. [C.O. 29, 12. pp. 91-94.]

Feb. 17. **132.** Mr. Popple to Capt. Gardner. Communicates Brigadier Whitehall. Handasyd's request for recruits *etc.* [C.O. 138, 13. p. 93.]

Feb. 17. **133.** Same to Mr. Burchett. Communicates Brigadier Whitehall. Handasyd's account of the ill condition of the men of war at Jamaica, and of the French privateers, *etc.* v. Dec. 17, 1709. [C.O. 138, 13. p. 94.]

Feb. 18. **134.** Order of Queen in Council. Repealing Act of Barbados St. James's. described Feb. 16 and ordering as there proposed. *Signed*, John Povey. *Endorsed*, Recd. 2nd, Read 13th March, 170 $\frac{9}{10}$ . 1 $\frac{1}{2}$  pp. [C.O. 28, 13. No. 22; and 29, 12. pp. 99-101.]

Feb. 18. **135.** Order of Queen in Council. The Commissioners of St. James's. Customs are to prepare a clause to be offered to Parliament to prevent illegal running of tobacco from the Isle of Man. (*cf.* Jan. 18). *Signed*, John Povey. *Endorsed*, Recd. 2nd, Read 13th March, 170 $\frac{9}{10}$ . 1 p. [C.O. 388, 12. No. 86.]

Feb. 18. **136.** H.M. Warrant appointing Alexander Spotswood Lieut. St. James's. Governor of Virginia, in case of ye death or absence of George Earl of Orkney, our present Lieut. and Governor General, *etc.* *Countersigned*, Sunderland. [C.O. 5, 210. p. 201.]

Feb. 20. **137.** Mr. Popple to Mr. Lowndes. *Quotes* Governor Whitehall. Handasyd's letter June 4, 1709, concerning escheats in Jamaica, and clause from his Instructions, to be laid before the Lord High Treasurer. [C.O. 138, 13. pp. 95, 96.]

Feb. 20. **138.** Same to William Penn. The Council of Trade and Whitehall. Plantations having, since their letter of Jan. 19, received further information of illegal trade carry'd on between Curaçoa and Pennsylvania, send you enclosed extract, and desire that you will give the necessary directions for prevention thereof in that Province as proposed in their aforementioned letter. *Annexed*,  
138. i. Extracts of several Memorials relating to the illegal trade carry'd on between Curaçoa and St. Thomas and the British Plantations. From the British Plantations

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on the Continent of America, the inhabitants of Curaçoa are furnished with all sorts of provisions, from Pennsylvania and New York strong and small beer, from Carolina and New England pitch and tar, from the Charibee Islands and Jamaica rum, sugar, cotton, ginger, indico and tobacco. In return of which our Plantations have chiefly cocoa, linnens, muslins, silks and other goods for wearing apparel, with great quantities of rigging, sail canvas, anchors and other sorts of iron works, powder and shott. That Island has been furnished from H.M. Plantations with 12 or 1500 tun of bread and flower, and as much beef, altho' such provisions one time with another were as dear in H.M. Islands as at Curaçoa, the returns whereof has been in European goods. They have but 3 sloops at this Island but what have been built at Rhode Island, New York, Pennsylvania, Carolina, Bermuda and the Bahamas. There are many vessels which come from the Northern parts of America, that take in wine at Madera for Curaçoa, and so return home; they sell their Mediterranean passes to the Dutch, who man their sloops with English, and go under English colours for Maderas or the Canaries. *Instances given of sloops trading between Curacao and Pennsylvania 1703-1707.* [C.O. 5, 1292. pp. 211-213.]

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Whitehall.

**139.** Council of Trade and Plantations to the Queen. Having received accounts from several hands of the state of Newfoundland, since the taking of the Fort at St. Johns by the French in Dec. 1708, we beg leave to lay before your Majesty an account of the Fort and Garrison there, *etc.* In relation to the state it was in before the French took it; Major Lloyd (Oct. and Nov. 1708) informed us that the garrison was in as good a condition as he desired it for that winter; that the company was compleat; that there was near 800 of the inhabitants that would winter under the covert of the Fort; and that all things were in so good a posture, that if the enemy made any impression there, he was willing the blame should be laid to his charge. And by information from Captain Moody and others, we find that there were in the said Fort 48 pieces of cannon, with mortars, arms, ammunition, bombs, powder and ball proportionable, all which were carried to Placentia in April 1709, and as we have been informed by the Commodore and others, the said guns are there mounted. In relation to the state of Newfoundland when the Commodore came away, *quote Commodore Taylor's measures, v. Nov. 18, 1709.* Notwithstanding this care, all accounts agree that the inhabitants remaining at St. Johns are in a very bad condition, for besides their former sufferings, they are much impoverished by the great contributions raised upon them by the French in 1708, and were left exposed without a sufficient Fort, arms and ammunition (and but small quantity of provisions) to maintain and protect them, while, on the other

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hand, the enemy is grown stronger, the stone wall round Placentia finished, several new fortifications added and furnished with arms and ammunition taken at St. Johns ; their strength increased by the addition of 200 men from France, *etc.* The great advantages that accrue to the Kingdom from the Newfoundland Fishery, and the necessity of protecting and securing that trade, are so well known that we shall only report to your Majesty, that having considered the frequent losses your Majesty's subjects there have sustained, oftentimes during the fishing season, but more particularly in the winter by the incursions of the French, we consulted the principal persons here, and in the out-ports concerned in that trade, and others lately arrived from thence, who generally agree that if there were six ships of good force sent thither this year, under the like regulations as they were in 1707, it might be a protection for them during the summer season. This at the desire of the Lords Commissioners of the Admiralty, we have communicated to their Lordships. Though the said ships may be sufficient for a summer guard, as aforesaid, yet considering the strength and settlements of the French, unless there be a security at land for the inhabitants during the winter, that Fishery cannot be carried on with the same advantage to this Kingdom as otherwise it might. The necessity of protecting the inhabitants during the winter, will appear from what follows ;—that the French are increased in strength and numbers at Placentia ; that there are considerable effects of the British merchants left at Newfoundland every year ; that the inhabitants provide considerable quantities of fish and train oyle, which the ships at their arrival find ready to barter for the manufactures and other goods of this Kingdom. From which we humbly presume it will appear that the preservation and increase of that Fishery very much depend upon the security of the inhabitants, and the certainty that the merchants here may have thereof, which serves as a measure and rule to them for their adventures, and therefore we are humbly of opinion that a land strength is as necessary for their security in winter, as the ships of war are in the summer season ; in order whereunto it will be convenient that a good Fort be built in a proper place, with a sufficient Garrison ; from which Fort the other Harbours may receive assistance when necessary in the summer, and to which the inhabitants may retire with their effects in the winter. As to the place most proper for the building such a Fort, we have been informed that Ferryland Down, which lies to the Southward of St. Johns, being a rising ground, clear of woods, and no place nigh to annoy it, no ships can come within 7 or 8 leagues, but must be seen. It is joyned to the Island by a narrow neck of land or Peninsula, not above 20 or 30 yards broad, and might easily be made an Island if necessary. It is therefore represented as the most proper place to be fortified ; for that the fishing ships and boats seldom going further than a cannon shott to fish, they would be better protected by a Fort there than in any other harbour in Newfoundland ; that this Harbour will contain 50 ships at least, and with the Harbours of Caplin Bay and Aquafort

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which lye but a mile from it, they may contain several hundred sail; that it hath the advantage of all the other Harbours in plenty of fish and bait; and would effectually secure the inhabitants and their effects in the winter, if they retired thither, where there is room enough to contain 7 or 800 families. These are some of the advantages of the situation of Ferryland Down; whereas the harbour of St. Johns has not the like. And we have been informed by Sir John Norris, formerly Commodore there, that the situation of the Fort at St. John's was too high, and at two great a distance to defend the batteries at the entrance into the Harbour, nor was it strong enough to resist an enemy's ships; besides that there are two hills which command it, whereby it is rendred insecure to the inhabitants. This has been further confirmed to us by Col. Nicholson, Capt. Moody and others lately come from thence, who have added that there is no other place in that Harbour capable of being fortified. *Autograph signatures.* 7 pp. [C.O. 194, 22. No. 75; and 195, 5. pp. 133-139.]

[Feb. 23.] **140.** [Mr. Laws] to the Council of Trade and Plantations. *Memorial upon Lord Carbery's proposal for surrender of lands (v. 1709).* By the Revenue Bill of Jamaica the quit-rents are already appropriated and given by H.M. to the support of the Government. I think it would be a favour in H.M. to take the surrender of any lands there after the arrears were fully paid. *Endorsed, Recd. Feb. 23, Read March 14, 170 $\frac{9}{10}$ .* 1 p. [C.O. 137, 8. No. 78; and 138, 13. pp. 97-98.]

Feb. 23. **141.** Council of Trade and Plantations to the Earl of Whitehall. *Sunderland. Enclose following to be laid before H.M. We are preparing the Instructions relating to the Acts of Trade, etc. Annexed,*

141. i. Instructions for our right trusty and right well-beloved cousin George, Earl of Orkney, our Lieutenant and Governor General of our Colony and Dominion of Virginia. *In the usual form, cf. C.S.P. 1705, No. 1051 i.* [C.O. 5, 1363. pp. 44-126.]

Feb. 24. **142.** Same to Same. Enclose following. *Annexed,*  
Whitehall. 142. i. Instructions to Governor Lord Orkney, relating to the Acts of Trade and Navigation, *in the usual form.* [C.O. 5, 1363. pp. 127-168.]

Feb. 24. **143.** Sir T. Laurence to the Council of Trade and Plantations. *Memorial enclosing following (v. March 14, 26). Signed, Thomas Laurence. Endorsed, Recd. Read Feb. 24, 170 $\frac{9}{10}$ .* *Holograph.* 8 pp. *Enclosed,*

143. i. Ordinance of Assembly of Maryland empowering the Justices of the County Courts to grant licences to Ordinary keepers, *etc.* Assented to by the Council, Dec. 9, 1708. *Copy.* 1 p.

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143. ii. Address of Assembly of Maryland to the Queen, against Sir T. Laurence's claim, agreed to Dec. 1708 without the Governor's consent. *Copy.* 3 pp.

143. iii. Case of Sir T. Laurence, Secretary of Maryland. Printed. 3 $\frac{1}{4}$  pp. [*C.O.* 5, 717. *Nos.* 5, 5 i.-iii.]

Feb. 24.  
Whitehall.

**144.** Mr. Popple to Mr. Lowndes. The Council of Trade and Plantations have considered Mr. Raynor's petition. (Feb. 2 *q.v.*) Tho' the grants (*referred to*) may have been irregularly obtained, and the conditions not complied with, yet their Lordships cannot think it will be for H.M. service that those patentees should be molested in their possessions by such prosecutions as Mr. Rayner proposes, in regard it may discourage the seating and cultivating of lands there. However, if he shall at any time be employed by the Governor and Council there in performing any service of that kind, in such case their Lordships think he ought to receive a suitable reward. As to his request to be paid out of the quit-rents *etc.*, their Lordships observe that he will be paid his salary of Attorney General in the like manner as the Governor and other Officers are out of the Revenue there. As to his salary of Advocate, if my Lord Treasurer shall think fit it be paid out of the forementioned accidental Revenue arising from forfeitures for illegal trade, their Lordships have no objection thereunto. As to his request for consideration for drawing patents for the Palatines, *etc.*, their Lordships observe that the grants are not to be made till the said Palatines by their labour and industry in the production of Naval Stores shall have repaid what H.M. shall have disbursed for them; that the finding out lands for them, belongs to the Surveyor of that Province; and that the Governor has instructions directing him, how and in what manner the said lands shall be granted; and as for a consideration for the drawing the Patents, their Lordships have no objection, why he may not be allowed the same out of the Revenue there, when those Patents shall be drawn. [*C.O.* 5, 1122. pp. 164-167.]

Feb. 25.  
Custom House,  
London.

**145.** Mr. Carkesse to Mr. Popple. The Commrs. of the Customs desire to know whether the Governors in the severall Plantations have any instructions touching H.M. share of the penalties and forfeitures for breaches of the Acts of Trade and Navigation, *etc.*, and by whom the same are received there, and how accounted for. *Signed*, Cha. Carkesse. *Endorsed*, Recd. Feb. 27, 170 $\frac{9}{10}$ . *Addressed.*  $\frac{3}{4}$  p. [*C.O.* 323, 6. No. 99; and 324, 9. pp. 430, 431.]

Feb. 25.  
St. James's.

**146.** H.M. Warrant appointing Walter Hamilton Lieut. General "of all and singular our forces" in the Leeward Islands, and to execute Governor Parke's Commission in the case of his death or absence. *Countersigned*, Sunderland. 1 $\frac{1}{4}$  pp. [*C.O.* 152, 9. No. 15; and 153, 11. pp. 15, 16; and 5, 210. pp. 202, 203.]

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March 4.  
Whitehall.

**147.** Council of Trade and Plantations to the Queen. Report upon petition of Francis Pouch and Daniel Gashet of Martinico, for compensation for the seizure of the *Society* sent as a flag of truce with English prisoners from Martinico to Antegoa. (v. Dec. 15, 1709). *Concludes*: There are several other instances of an illegal trade carried on from the Leeward Islands, Barbadoes *etc.*, by means of such flaggs of truce. We are therefore of opinion that there is no reason why your Majesty should gratify the petitioners, and that for the preventing the like illegal practices for the future, your Majesty's pleasure be signified to the several Governors that, whenever they have occasion to send out flaggs of truce, no more goods or provisions be permitted to be laden on board such vessels than what shall be necessary for the voyage. *Set out*, A.P.C. II. pp. 617-619. *q.v.* [C.O. 153, 11. pp. 4-9.]

March 4.  
Whitehall.

**148.** Mr. Sharpe to the Earl of Sunderland. It is with the greatest sense of joy and gratitude that this wretched place has received the happy influence of H.M. Royal clemency and goodness in the Order for recalling Mr. Crowe; nor can we ever sufficiently express the obligations your Lordship's compassion and protection have drawn upon us in that matter. I humbly conceive it would have been as much for Mr. Crowe's as the country's safety had it brought a quietus with it, and put an immediate stopp to his administration of the Government; for as it would have put us past all danger of suffering any longer by his unhappy management, soe would it have freed him from the temptation of any further disobedience to H.M. by continuing longer at the helm, which we have very good reason to apprehend he designs, *etc. etc.* *Signed*, Wm. Sharpe. 2pp. [C.O. 28, 43. No. 37.]

March 6.  
Barbados.

**149.** Governor Crowe to the Council of Trade and Plantations. I sent your Lordships duplicates of what went per the packet by the *Mary Gold*, Capt. Welsh. This conveyance brings me none from your Board. I have received H.M. Orders for returning home, which I shall doe by the first vessell that goes from hence for England, and I hope fully prepared to answer all these complaints your Lordps. has been pleased to assigne against, *Signed*, M. Crowe. *Endorsed*, Recd. 4th, Read 5th July, 1710. 1 p. *Enclosed*,

149. i. Naval Officer's List of ships entered and cleared in Barbados, Sept. 25—Dec. 25, 1709. *Endorsed*, Recd. July 4, 1710.  $\frac{3}{4}$  p. [C.O. 28, 13. Nos. 29, 29 i.; and (without enclosure) 29, 12. p. 110.]

March 6.  
Barbados.

**150.** Same to the Earl of Sunderland. *Acknowledges* Order of recall, Oct. 8, which I should in the same minute have obeyed, if your Lordp. had been pleased to order by what conveyance. The Master of the packet reports the *Newcastle* was a fitting out at Plymouth to relieve H.M.S. *Hector*, so I hope your Lordp. will send directions by her: for here is not any vessell at present that designs for Europe, but a smal Scotch ship without a gunn of 90 tunns for Leith, and I cannot think H.M. would expose the

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charracter or my papers in a smal packet boat wch. is a prey for every French privateer sloop which all these Islands are now infested with, one of them carried the last packet but one into Martineque, insomuch that Mr. Dummer's Agent here has applyed himself to me for one of H.M. ships to convoy this to Antigua, which I could not grant, by reason of two sloops, lying to windward of this Island, who are so daring as to make an attempt to land in ye night under the Forts in hopes to surprize some of them, and so take off what negroes they could gett. I desire nothing so much as to clear myself of what is alleadged against me, and I will take the first oppertunity that offers for Europe. If I had the power to have commanded of one of these men of warr that attends this Island from their stations, I should not have troubled your Lordship with this, *etc.* *Signed*, M. Crowe. 2 pp. [C.O. 28, 43. No. 38.]

March 6. **151.** A. Needham to the Lord Chief Baron Ward. Complains of harsh treatment at the hands of Major Lillington in the matter of a plantation, *etc.* *Signed*, Allen Needham. *Addressed*. *Sealed*. 2½ closely written pp. [C.O. 28, 38. No. 76.]

March 9. **152.** Governor Parke to the Earl of Sunderland. It is now above four months since I had the honour to receive any letter from your Lordshipp. I order'd a meeting of a Generall Councill and Assembly to meet me at St. Kitts Feb. 27, expecting a packett, but that not comeing I prorogued them to the 20th inst., and if there comes in no packett, I shall still prorogue them, for till there be a determination of the complaint, there will be nothing done. Mr. Tankerd has basely murdered a poor man, he waylayd him and pretended to fight him, but before he could take his pistoll, hee shott him, his brother killed one some time before. 'Tis my good fortune to have neither of the quarrills o[n?] the publick differences, they are both villannous murders, therefore hopes your Lordship will interpose th[at] no pardons may be had, they are not to be taken, one is gott off this Island, and for the other, I know not if he is gott off, or no. Wee have had a great droughth, but otherwise the Islands are in good health and prosperity. Seaven privateers landed some men on Mountserratt. I had an account sent me that [the 29th] night. Immediately I pressed a briganteen and a sloop, and put the Queen's troopes on board, and went to their assistance, but before I came, they were gone; they return'd on board without doing any damage, neither they nor we so much as lost a man; the Queen's shipp (the *Diamond*) joyned me and for 7 days I followed them, but could not come up with them. I visited all the Islands of my Government, and when I secured them after the best manner I was able, I returned to this. *Signed*, Daniel Parke. 2 pp. [C.O. 152, 42. No. 17.]

March 9. **153.** Same to the Council of Trade and Plantations. *Duplicate of preceding.* *Endorsed*, Recd. 3rd, Read 7th July, 1710. [C.O. 152, 9. No. 23; and 153, 11. pp. 39-41.]

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March 10.  
Virginia.

**154.** Lt. Governor Jenings to the Council of Trade and Plantations. *Refers to letter of Jan. 11, (q.v.)* I'm sorry to acquaint your Lordps. that the *Enterprize* is still absent, and according to the time of her sailing from New England for this place in Dec. last, there is reason to doubt of her safety. It has however happen'd very fortunately that the Captain of the *Enterprize* directed a sloop from New York to meet him here. This sloop arrived about six days agoe, and by comparing the quality and built of the vessell and the place from which she came, with certain instructions wch. my Lord High Admiral was pleased to give last summer for the hyring such a vessell at New York to be sent hither and man'd for cruising with the guard ships appointed on this station, there seems no reason to doubt but that this is the very same wch. my Lord High Admiral intended for this service. Whereupon considering the danger to which this countrey is exposed from the enemy's privateers (wch. are generally most busy on our coast in the spring) and the uncertain expectation of H.M.S. the *Enterprize* for our protection, I have with the unanimous advice of the Council given order for the immediate fitting out of that sloop for answering the intentions of my Lord High Admiral in the protection of the trade from the small privateers of the enemy that lurk within and about the Capes, as your Lordships may be pleased to observe more fully in the proceedings of the Council in this matter (*enclosed*). I am sensible that the taking on me to fitt out this vessell, and to appoint a Commander and other officers and seamen on the establishment of H.M. Navy without particular directions from my Lord High Admiral is so far out of my power, that nothing but absolute necessity for H.M. service could excuse the presumption; but as my Lord High Admiral's intentions for obtaining such a vessell to be employed here at H.M. charge was very apparent, that accordingly endeavours had been used for that purpose the last summer at New York, and that now a sloop is arrived answerable in all respects to the design, and no Captain of any of H.M. ships here to give any directions concerning her, I think I should have been as inexcuseable to have suffered such a vessell to ly useless, when H.M. service in the defence of the country did so pressingly require her being employed, and especially having so fair an opportunity to man her with the seamen belonging to H.M. late ship *Garland*, who have been subsisted here ever since the loss of that ship at H.M. charge. I beg the favour of your Lordps. to believe that what I have done herein proceeds from the sincerity of my intentions for H.M. service, and I'm well satisfied your Lordps.' favourable opinion of me in this particular will justify me very much with my Lord High Admiral. I am also an humble suitor to your Lordps. that you will be pleased to interpose with my Lord High Admiral for his directions to the Commissioners of the Navy and Victualling offices to provide for this vessell so long as it shal be thought fitt to continue her in this service, and that in the mean time care be taken to pay the bills which the Master shall have occasion to draw for the necessary provision of victualls and

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ammunition for the said sloop. *Prays* for speedy directions in the business of patenting of land, *etc.* *Signed*, E. Jennings. *Endorsed*, Recd. May 26th, Read June 6th, 1710.  $2\frac{1}{2}$  pp. [*C.O.* 5, 1316. *No.* 46; and 5, 1363. pp. 184–187.]
- March 13. **155.** Sir T. Laurence to the Council of Trade and Plantations. Complains of Mr. William Bladen, *etc.* *cf.* following. *Signed*, Thomas Laurence. *Endorsed*, Recd. Read March 13, 170<sub>10</sub>. *Holograph*.  $1\frac{1}{2}$  pp. [*C.O.* 5, 717. *No.* 6.]
- March 14. **156.** Council of Trade and Plantations to the Queen. Whitehall. Representation upon petition of Sir T. Laurence (*v.* Jan. 26 and March 30, 1710). *Set out*, A.P.C. II. pp. 532–534. *q.v.* [*C.O.* 5, 727. pp. 171–175.]
- March 14. **157.** Mr. Popple to Mr. Lowndes. Communicates Mr. Laws' Whitehall. Memorial (Feb. 23) relating to Lord Carberry's proposed surrender of lands in Jamaica, *etc.* [*C.O.* 138, 13. pp. 98, 99.]
- March 15. **158.** Lt. Governor Ingoldesby to the Council of Trade and New York. Plantations. Since my last (July 5), the Assembly of this Province mett and sett from Aug. 15th—Nov. 12, and past severall Acts, which I could not send the Secretary and Clark of Assembly being not ready with there minutes. On Nov. 18 I went to Burlington to meete the Assembly of ye Jerseys, which satt untill Jan. 31st, having past tenn bills, which I doe now send, *etc.*, and 3 others past before, with the Minutes of Councell and of the Representatives, so that your Lordships will see what has been done in that province as to the last expedition designed against Cannada. *Refers to Col. Nicholson's account.* But as I must in justice informe H.M. of what the Assembly and people have done thereon, I beg leave to acquaint yr. Lordships that neaver people went on more cherfully on any designe then they have don on this having raised £14000 for the execution thereof and which will not doe as I am tould by £4000 which I cannot know presisely untill the accounts are settled. As we are informed that H.M. has appointed Col. Hunter Governor *etc.*, I shall not fall into any particulars on any of the Bills, *etc.* *Signed*, Rich. Ingoldesby. *Endorsed*, Recd. 13th, Read 25th. Oct. 1710.  $1\frac{1}{2}$  pp. *Enclosed*,  
158. i. Address of the Assembly of New York to Lt. Governor Ingoldesby. *Compliment his care and prudence, etc.* *Continue* :—The expedition which was design'd against Canada, and has now met with a manifest disapointment, has put this Colony to a vast fatigue and expence, and must have alarmed and awakened the enemy, who have not only taken some prisoners to informe them of the withdrawing of the forces from Wood Creek, but are now well instructed by the lateness of the season of their security during this winter from all danger by sea. We have great reason to apprehend that they will bend their greatest force against our frontiers, where

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our forts and fortifications are soe farr out of repair, that it will hardly be possible before winter to make any considerable additions to them, and this disappointment and the bad effect it has produc'd amongst the inhabitants in generall, has rendred it almost altogether impracticable to reinforce the frontiers with fresh detachments of the militia. *Pray that* H.M. regular troops be posted this winter upon the frontiers of Albany, *etc.*, our maritime confines being sufficiently defended by the season, *etc.* *Signed*, W. Nicoll, Speaker, Hend. van Renslaer, Johs. Cuyler, Cornelis Seberingh, Johan. Hardensoeck, John Hillcock, Abraham Lake(r)man, John van Hoo, Pieter Harring, Josiah Hunt, Robert Livingston, Ebenezer Willson, Henr. Beekman, Myndert Schuyler, Samuel Mulford, Tho. Garton, Joh. Jansen, Oct. 12, 1709. *Endorsed*, Recd. Oct. 13, 1710. 1 p. torn. [C.O. 5, 1049. Nos. 164, 164 i.; and (without enclosure) 5, 1122. pp. 186, 187.]

March 18. **159.** H.M. Warrant granting John Rayner, Attorney General  
St. James's. of New York, leave of absence for 18 months, provided he appoint a Deputy approved of by the Governor, *etc.* *Countersigned*, Sunderland. [C.O. 5, 210. pp. 203, 204.]

March 20. **160.** Mr. Burchett to Mr. Popple. Saml. Brice, Mariner,  
Admiralty Office. having represented to my Lords of the Admiralty that he is negotiating a considerable affair, with the Lords Commrs. for Trade, that will conduce very much to ye benefit of the Nation and desiring to be protected for one month to attend thereon, I desire you will give me an account if there is further occsaion for this mann, and if so, for how long time. *Signed*, J. Burchett, *Endorsed*, Recd. Read 21 March, 170<sup>y</sup><sub>10</sub>. *Addressed*. 1 p. [C.O. 323, 6. No. 100; and 324, 9. p. 431.]

March 21. **161.** Governor Parke to the Council of Trade and Plantations.  
St. Kitts. I came to this Island the 19th inst. to meet the Generall Councill and Assembly, that were prorogued to the 20th of this month. I went from Island to Island with the man of warr to take on board the Councill and Assembly of each Island, the Councellours all came with me, so did the members for Mountserratt, but those from Antigua and Nevis not comeing, I was oblig'd to prorogue them to the 23rd inst., at which time I hope they will meet, but I cannot promise myselfe they will either repeale the badd Laws, or make any new ones, for I don't expect they will do anything till there is a determination of the complaint, but I have called them that I might not be wanting in my duty; had I justice done me in that they would soon come to a better temper. About a month ago a passenger that came in a Liverpoole man publickly reported that I had got the better of the complainants, the very next day severall of them sent to me to begg pardon, which I freely granted, and had that news been confirmed by this packett, by this time we had all been

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reconciled, for I will forgive all that have done me any injury, and when this is done, I have no doubt but to bring all those Islands under as good a Government as any of the Queen's Collonys, for hitherto they have been under no manner of method. The former Generalls used to governe as arbitrarily as Bashas, and my proceedings according to the Laws of England and putting their Assemblys on the same foot (as near as the circumstance of the place will admitt) with the House of Commons in England makes them angry at present, but hereafter they will thank me for it. If I have Justice done me, by degrees they will be brought to reason, if not, they will be the same with the next Governour that comes, expecting to gett him out by claymour. *Repeats account of attack on Mountserratt.* Immediately I impressed a sloop and brigantine, and with what troopes I could gett, went to their assistance, they haveing chaced the boat that brought me the advice, and not takeing her, they concluded I would soon be with them with the forces of the Islands, which made them think fitt to retire. By good luck I mett with the man of warr, andd went on board her and being also joined by two of our privateers pursued them till I dispersed them and after I had vissited all the Islands and left them safe, I returned to Antigua. The Treasurer of Antigua refused to pay for the hire of the two vessells, and provisions put on board for the men, so that for ought I see, I must pay it myselfe. Had the vessells been lost, I should have had £2000 to have paid, *etc.* I must informe your Lordshipps of a very extraordinary proceeding of the Speaker of Antigua Assembly. Just as I was stepping into the boat, he and Mr. Chester and Col. Fry (two other members) brings me a paper signed by himselfe as Speaker and at the topp was writ the Address of the Gentlemen of the Assembly to the Generall, wherein after haveing asserted severall things that the records makes appeare false, they tell me if I will call them then together they wou'd pass Laws as other Islands do they would not say they would allow the Queen a negative voice. I told them there being a Generall Councill and Assembly called all particular Assemblys were dissolved in course, but if they had let me have knowne as much sooner, I would have called them together, but that the Proclamation was already writt for their dissolution, but when the Generall Assembly was over, I would call another for Antigua, and then I should see if they would allow the Queen a negative voice or not, but that I wondred to see an Adress from the Assembly signed by their Speaker when the Assembly had not mett, that their meeting at the election of Generall Assembly men were but as so many private men, and that it was their being unacquainted with the constitution of the House of Commons made them run into these errors; but I thought it was yet more extraordinary for them to indeavour to stopp me when I was just going on board with the troopes to protect one of the Queen's Islands which was actually attacked by the enemy, and should I stay to call a Councill for ought I knew it might occasion the loss of Mountserratt. As soon as I had made an end, I went on board and sett sayle, the people of Mountserratt were so

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sensible of the obligation that the Council and Assembly unanimously agreed upon the inclosed Address, and presented it me in a full body at my coming there to call for their Council and Assembly men and withall told me (if I pleas'd) every man in that Island would signe it. I heare one Parson Field and one Col. Thomass claymours very much against me, there are very strong circumstances to believe those two were the contrivers of my assassination and stole away the night before I was shott, for fear of the negroe that did it, or Captain Otto that was with him should be taken and confess who sett them to worke. Inclosed I send a petition delivered in Council by one Parson Buxton against Field. I hope what such a profligate wretch (as Field) shall say will find no credit. I have sent affidavits of all that ever went in the Flaggs of Truce, by which your Lordships will see how farr I have been concerned in tradeing, had I winked at that trade, I had had fewer enemies then I have, and the affidavits sent I hope will cleare what is layd to my charge about Mr. Chester. The reason of their mallice to that poor woman is because she sent me word of a designe that was layd to murder me some time since ; this poor woman is in a deep consumption, and has been so for this two yeares, and wants a nurse more than a gallant, and has the fate to be married to a cruell madd man and a foole who turned her out of doores twice before I arrived. She was an orphan and has no relations to protect her, which is the reason she is made a sacrifice in hopes to throw dyrt on me. 'Tis strange that I am to be attacked thus in the darke, what affidavits I take are done in publicke in the Court House before the Lt. Governor and Council, and everyone has liberty to take coppys of them ; their affidavits are soe secrett I can't yet heare but of one, and she that made that I have proved perjured, and don't doubt but to do the like by all the rest, if I had them sent me. I desire no favour in this affair but common justice. P.S. March 27th I send the Minutes of the Genll. Assembly to this day. *Signed, Daniel Parke. Endorsed, Recd. 3rd, Read 9th June, 1710. 4 pp. [C.O. 152, 9. No. 18 ; and 153, 11. pp. 21-27.]*

March 22. **162.** Council of St. Christophers to the Council of Trade and Plantations. Certify that Lt. Governor Walter Hamilton is a gentleman of courage, experience and good conduct in military affairs, and best fitted to command as Lt. General in case of the death or absence of the General, etc. 8 *Signatures. 1 large p. [C.O. 152, 42. No. 16.]*

[March 22.] **163.** Lt. Governor Hamilton to the Queen. Prays to be appointed Governor of the Leeward Islands, in succession to Governor Parke. *No date or signature.  $\frac{3}{4}$  p. [C.O. 152, 42. No. 15.]*

[March 22.] **164.** Memorial by R. Tryon, in behalf of Lt. Governor Hamilton, setting forth his services in expeditions against the enemy (St. Kitts 1689, Martinique 1692, St. Kitts 1702, Guarda-

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loupe 1703), and as Lt. Governor of St. Kitts, and supporting preceding petition. *Signed*, Rowld. Tryon. 2 pp. [C.O. 152, 42. No. 14.]

March 22.  
Whitehall.

**165.** Mr. Popple to Mr. Solicitor General. Encloses Act of Jamaica *for regulating fees*, for his opinion in point of law, especially upon the clauses obliging lawyers to take retaining fees, and for qualifying of writing clerks, *etc.* I have given notice to Mr. Baber and the other Patentees here who oppose the Act, as also to such gentlemen of Jamaica as appear for the Act, that they may attend you when you shall desire it. [C.O. 138, 13. p. 100.]

March 23.  
Craven House.

**166.** Lords Proprietors of Carolina to Governor Tynte. *Enclose* letter *etc.* from the Board of Trade (Jan. 19*q.v.*) relating to illegal trade. We require you to make a strict scrutiny into the several matters of fact alledged, and to cause such persons as have been any ways concern'd in such illegal trade to be prosecuted according to law. We think it highly necessary that care be taken that in case any flags of truce arrive at our Province, that they be not permitted to trade during their stay there, or to go on shore to examine the strength and condition of the place, *etc.* *Signed*, Craven Palatin, Beaufort, Craven for Ld. Carteret, M. Ashley, Holleton, J. Danson. [C.O. 5, 290. p. 1.]

March 23.  
Craven House.

**167.** Same to same. Warrant to the Governor and Surveyor General to set out 100 acres of land, free of quit rent for 10 years, and thereafter to pay 1*l.* yearly per acre, to as many poor Palatines as shall arrive in Carolina. List of 7 families of Palatines going thither (Mandorf, Stanser, Stark, Jansen, Fried, Steinman and Kraft). *Signed as preceding.* [C.O. 5, 290. pp. 2, 3.]

March 24.  
Whitehall.

**168.** Council of Trade and Plantations to the Queen. Recommend for confirmation Acts of Jamaica, 1709, *for securing Port Royal*, and *appointing way wardens, regulating wharfage, and buoying out the Channel between Port Royal and Kingston.* [C.O. 138, 13. pp. 101, 102.]

March 25.  
Whitehall.

**169.** The Earl of Sunderland to Col. Jones. The Queen having received several complaints of the great male administration and violent proceedings of Governor Parke, and that several officers and soldiers of your Regiment being encouraged thereto by him have for a considerable time committed very high outrages upon the persons of many of the complainants, H.M. has commanded me to express to you her displeasure that the troops she always designed to be employed for the protection and defence of her subjects should be made use of as instruments of their oppression, and to signify her commands that you examine and enquire into the truth of any complaints of this nature which shall be made to you against any of [*the*] officers and soldiers under your command, that if you find any

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of them guilty, you inflict such punishment upon them as the nature of their offence shall deserve, and let them know how much H.M. is dissatisfied with those proceedings, and that she is resolved to make such offenders feel the effects of her displeasure, and that you use all other proper methods and ways to prevent such disorders, which especially at this time might interrupt the course of justice in the examinations of the several complaints agst. Colonel Parke. You are to send me an account from time to time of your proceedings in this matter. *Countersigned*, Sunderland. [*C.O.* 5, 210. *pp.* 204, 205.]

March 25. **170.** Governor Handasyd to the Council of Trade and Plantations. The great mortality yt. we have had here of all sorts of people both white and black, I gave you acct. of in my last, since which time we have had ye acct. of ye Laverdecrous Fleet being sailed from the Havannah, which sailed about Jan. 7 to ye number of 16 or 17 ships and vessells, being all very ill-mann'd and ye ships very much out of order, by their being so long in these parts, and had no other convoy but 3 letter of marque men, two of wch. was French and one Spaniard. I hope some of our cruisers or other ships may meet with them before they get home, our men of war here in number 5 are in a very miserable condition for want of men, 2 of which cannot goe to sea except a third or fourth part of their compliment be soldiers out of H.M. Regiment, which I am affraid in a very little time will destroy the remainder of ye regimt. We have been sadly pestured by our enemy privateers, who have taken severall ships and vessells in sight of the Island, for which reason the Assembly is now fitting out two vessells to cruse round the Island, *etc.* By our last advice from Carthergena, the gallion is still in that Harbour, which has on board a vast quantity of money, as also another a French ship which they say is very rich and incapable of going to sea. We also hear there is 2 French men of warr come into these parts, the one of 44 gunns, and the other betwixt 30 and 40, the one of which was an Englishmann of war, the *Dymon* frigatt. Two Dutch privateers abt. 10 days agoe brought in a French ship loaden with negroes to ye number of 380, which they took off of Cape Debrown, they also met with this *Dymon* frigate abt. 10 leagues off of this Harbour, and exchanged severall broad sides, but ye French run away, on board of which they report there is near 500 men, which to me seemes to be extraordinary, therefore I am apprehensive that that number of men is with a designe to man the gallion, or to take the money out of her and to steale away with it as the Laverdecrous Fleet has done, in case the Spaniards will admitt of it, which they seem to be resolved not to do, they supposing yt. they will cary it to France. The great misfortunes that has attended us here is by our great loss of men occasioned by ye disputes that has happen'd betwixt ye Collector of ye forrain dutys, and the captures of ye privateers. *Refers to enclosures and prays the Board to lay Address before H.M.* The Assembly and Council haveing requested of me to stop the *Elton* gally for Bristoll, who was for saileing upon Saterdag

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morning, till Wednesday following when they resolve to have the Address and everything ready to send with her, the Capt. of her was very unmannerly and told me that his owners would complain to H.M. in Councill, *etc.*, so yt. in case such a complaint should happen, I hope H.M. as also yr. Ldships. will consider ye necessity of doeing it, and yt. it has always been my study to encourage as much as lay in my power all trading ships. Our trade with ye Spaniards is very dead, tho' we have always sloops and vessell(s) upon that coast, but all their advantage, as they tell me, is that they gett a new penny for an old. The Assembly has been sitting since the first of this month, and I hope in 10 days they will finish what they have to doe. Our privateers has taken 5 French privateers, and we are endeavouring all we can to destroy them, they being so prejudiciall to us, and are in swarms round us; they have also taken two or three small prizes with cocoe, tobacco, *etc.*, but ye dutys being one half more then they are worth, after their condemnation they ly rotting in the Harbour. The Attorney Generall being dead, Mr. Percivall who had H.M. Privy Seale has succeeded him accordingly. The Clark of ye Patents and Chancery haveing refused to act any longer, I have appointed Mr. Arnold Brown to supply his place till H.M. pleasure is known. The Island is at present pritty healthy except the small pox, by which in some places severall dye. *Signed*, Tho. Handasyd. *Endorsed*, Recd. 3rd, Read 4th May, 1710. 2½ pp. *Enclosed*,

170. i. ii. List of prize goods and duties demanded on them in Jamaica, with particular instances of hardships, *referred to in following*. *Signed*, by Order of the House, March 28, 1710, Jer. Collins, Cl. Assembly, and, by Order of the Council, Richd. Rigby, Cl. Council. *Endorsed as preceding*. 24 pp.

170. iii. Address of Governor, Council and Assembly of Jamaica to the Queen. We being sensible that our safety and preservation through this bloody and perillous war is (under God) entirely owing to your Majesty's care and protection, *etc.*, now in our extream necessity and low condition to which our misfortunes have reduced us, and the impending danger which seems to threaten us, venture to prostrate ourselves at your Royal feet, *etc.* We humbly presume your Majesty must have been already inform'd of our many losses sustain'd of late from the enemy, and of the great desertion of our seafaring men, in whom consisted our best defence, and we have reason to fear, those which remain will continue to desert, unless your Majesty extend your bountiful relief to us in what we humbly conceive to be the cause of our misfortunes, *etc.*, which we take to be the demand of duties upon prize goods by colour of the Act *for encouraging the trade to America*, most of which very much exceed the intrinsick value of the said goods themselves, to the unspeakable prejudice of the merchants and others concern'd in fitting out private ships of war. *Refer to the preceding*.

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This we look upon to be the fountain and source of our misfortunes, which are the more sensible to us, when we reflect upon the happy effects that Act of Parliament seem'd to promise ; at its first publishing great numbers of seafaring men from all parts resorting to us, and abundance of private ships of war fitted out, which did very great service against our enemies. Your Majesty will be concern'd to hear that by an interpretation of an Act made for the encouragement of Trade, Trade is decay'd amongst us ; what was intended for the benefit of private ships of war has prov'd the ruin of several persons concern'd in them, and that what was design'd for the strengthning your Majesty's Colonies and destruction of your enemies, has in effect dispeopl'd this your Island, and given your enemies an opportunity of triumphing over us. And whether your Majesty's ships here have not suffer'd in their proportion by desertions occasion'd in great measure by the aforesaid demands, we leave to be represented to you by your Majesty's late Admiral here and other your Majesty's Commanders. Wherefore we humbly hope your Majesty will be of opinion that this is an unnatural construction of an Act of Parliament, *etc.*, and that the duties intended to be paid by that Act are such only as always have been paid for the support of your Majesty's Government of this Island, without which we have not means to support it ; and that your Majesty will be graciously pleased to give directions that no further or other duties be demanded on prize-goods, and what has been exacted to be restored, *etc.* *Signed*, Tho. Handasyd, Richd. Rigby, Cl. Concil., Pe. Beckford, Jr., Speaker. March 28th, 1710. *Same endorsement. Copy.* 3 pp. [C.O. 137, 8. Nos. 80, 80 i.-iii. ; and (without enclosures) 138, 13. pp. 108-114.]

March 27. **171.** Governor Parke to the Council of Trade and Plantations. I here send your Lordshipps the Minutes of the Generall St. Xphers. Councill and Assembly to this day. I shall use my utmost indeavours to perswade them to do what may be for the Queen's service and intrest of these Islands. I hope I shall do my duty, though 'tis difficult to guess what they will do. *Signed*, Daniel Parke. *Endorsed*, Recd. 8th, Read 9th June, 1710. 1 p. [C.O. 152, 9. No. 19 ; and 153, 11. p. 28.]

March 28. **172.** Mr. Secretary Boyle to the Council of Trade and Whitehall. Plantations. Encloses following. *Signed*, H. Boyle. *Endorsed*, Recd. Read March 30, 1710. 1 p. *Enclosed*,

172. i. Lords Commissioners of the Admiralty to Mr. Secretary Boyle. Admiralty Office, March 24, 170<sup>9</sup>/<sub>10</sub>. As to what is proposed by the Report [of the Council of Trade and Plantations] towards lessening the freight of pitch and tarr from North America (*v.* Feb. 14), protections are

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always given to such ships as proceed to the Plantations, when their owners or masters desire the same, but it has been customary for the Captains of H.M. shippes to take their men from them, when they arrive in England, and to put the like number of their own men in lieu, to sayl them to the ports where they are design'd to unload, for without doing this, the greatest part of those men, if not all, would be intirely lost from H.M. service, *etc.* There is not only the Law relating to the colliers, but another also which forbids the taking men from trading ships or privateers in the Plantations, so that the men are thereby effectually secured in those parts, but then it is attended with this ill consequence to H.M. service, that when by death or sickness the Queen's ships in the Plantations are rendered incapable to proceed to sea, their Commanders dare not use such methods as formerly to supply themselves with men; insomuch that severall ships have remain'd intirely useless, as at this time at Jamaica two of H.M. ships of the fourth rate have layn long in harbour for want of men to bring them home; and several others cannot, for the same reasons, proceed on those services which are necessary, as well for annoying the ennemy, as the security of the trade. Besides, it is reasonable to believe that this restraint from pressing men in the Plantations does induce many seamen to runn from H.M. service, and betake themselves to the privateers. As to what is further proposed, that good and regular convoys may be appointed twice in each year for the aforesaid trade, we do humbly represent to H.M. that ships of war are constantly appointed every year to convoy merchant ships and vessells to the Plantations, and when they arrive, either those very ships, or such as they relieve in those parts, bring the Trade from thence, so that the ships for pitch and tarr may have opportunitys of going and returning with them. And if it shall be H.M. pleasure that two convoys be particularly appointed in each year, to attend on the aforesaid pitch and tarr ships, we cannot conceive that the advantages, which may arise from that trade will ballance the charge of such convoys. It is further proposed by the Council for Trade that the commanders of the convoys to the Plantations may be strictly enjoin'd to sail from thence at the time which shall be first prefixt by them; to which we do humbly answer, that it has been always usual to fix a number of days, at the desire of the merchants for their stay in those parts, but in regard of accidents by bad weather or otherwise, by which the merchant ships might be interrupted in taking in their loading, it has been frequently left to the Commanders in Chief of the Convoys, to stay some few days longer in case the

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Governors of the Plantations, or the merchants there, should represent it to be necessary, otherwise the ships of warr appointed for the good of the trade in generall, might return to England with the smallest part thereof. *Signed*, Orford, G. Byng, Geo. Dodington, P. Methuen. *Endorsed*, Recd. Read March 30, 1710.  $3\frac{1}{2}$  pp. [C.O. 388, 12. Nos. 92, 92 i.; and 389, 21. pp. 98-101; and (enclosure only) S. P. Naval, 8 under date.]

March 30.  
St. James's.

**173.** Order of Queen in Council. Approving Representation of March 14 concerning Sir T. Laurence. Instructions are to be given to the new Governor of Maryland to use his utmost endeavours with the Assembly there that a law be passed for regulating Ordinaries without limitation of time, and that the benefit of the licences be thereby appropriated to the use of the Secretary, and that they compensate Sir T. Laurence for the loss of the same since 1704, etc. *Set out*, A.P.C. II. pp. 532-534. *q.v.* *Signed*, Wm. Blathwayt. *Endorsed*, Recd. 17th, Read 19th April, 1710.  $2\frac{1}{2}$  pp. [C.O. 5, 717. No. 7; and 5, 727. pp. 175, 176; and 5, 11. No. 7.]

March 30.  
St. James's.

**174.** Order of Queen in Council. Confirming 2 Acts of Jamaica, for securing Port Royal, and appointing way wardens, etc. *cf.* Feb. 24. *Signed*, William Blathwayt. *Endorsed*, Recd. Read April 5, 1710.  $1\frac{3}{4}$  pp. [C.O. 137, 8. No. 79; and 138, 13. pp. 105-107.]

March 30.  
St. James's.

**175.** Order of Queen in Council. Referring following to the Council of Trade and Plantations. *Signed*, William Blathwayt. *Endorsed*, Recd. Read May 17, 1710. 1 p. *Enclosed*,  
175. i. Petition of Alexander Skeene to the Queen. Governor Crowe refuses to restore petitioner to the office of Secretary of Barbados. Prays that H.M. Order (Ap. 28 and May 7, 1709) may be enforced. *Copy*. 1 p. [C.O. 28, 13. Nos. 24, 24 i.; and 29, 12. pp. 104-106.]

March 30.  
St. James's.

**176.** Order of Queen in Council. Approving of Representation upon petition of Francis Pouch and Daniel Gashet, and ordering accordingly as to flags of truce etc. *Set out*, A.P.C. II. pp. 617-619 *q.v.* *cf.* March 14. *Signed*, Wm. Blathwayt. *Endorsed*, Recd. 17, Read 19 April, 1710.  $3\frac{1}{2}$  pp. [C.O. 152, 9. No. 16; and 153, 11. pp. 17, 18.]

March [ ].  
Antigua.

**177.** Extract of letter from Jonathan Dickenson to John Askow in London. The Caribbee Isles are so much troubled with the French privateers from Martinico, that no vessells can pass in or out for them, Monserat they attempted to attack with six sail of their privateers, but were repulsed on their landing; they have plundered the Dutch Island named Stacia: about two months since a small galley belonging to Liverpool, the evening before she made Antigua, a French privateer sloop came up with her, lay by all night, and about 5 a.m. attack'd

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the galley with a design to board her, but the Leverpoole man having provided broken glass bottles with which he covered his decks, and retiring to his close quarters, as the privateer came up, he so levelled his chase guns upon him, that he made a lane fore and aft on the French man's decks, who still advanced and boarded him, but finding it impossible to keep the galley decks by reason of their warm fire from their close quarters, powder chests, *etc.*, they were obliged to retire, *etc.* This is the more remarkable because almost every week since I have been at Antigua, we have heard of our vessells being taken and carried into Martinico. Fr. Pinnel from Bristol was taken into Martinico, he came in a flag of truce to Antigua, and going from thence to Nevis, was again taken by another privateer, and sett on shoar at Barbuda, whence in a small boat he got to Nevis. We have certain advice from Martinico that 4 sloops, and our late West India Packet boat taken in Oct. last, are fitted out to cruize this summer on the coast of Virginia, Pennsylvania and New York, and the French in Hispaniola intend two sloops for the same coast; they also threaten the River Delaware, and they will be on that coast from this month untill Sept., unless they are disturbed. *Endorsed*, Reed., from Mr. Penn, 17th, Read 19th July, 1710. *Copy.* 1½ pp. [C.O. 152, 9. No. 27.]

[April 1.] **178.** Observations on the Instructions to George, Earl of Orkney, Lt. and Governour General of H.M. Colony of Virginia. 1-3, mention of certain Acts omitted. (4) Whenever the Kingdom of England in mencon'd, to be Great Britain, and instead of English Mariners, British. *Endorsed*, Reed. (from Col. Spotswood) 1st, Read 3rd April, 1710. ¾ p. [C.O. 5, 1316. No. 43.]

April 1. **179.** H.M. Warrant to Geo. Lillington, Councillor of Barbados, St. James's. for 20 months' leave of absence, *etc.* *Countersigned*, Sunderland. [C.O. 5, 210. p. 206.]

April 2. **180.** Mr. Jackson to the Council of Trade and Plantations. I heartily condole with yr. Ldships. the present miserable state of Newfoundland, and hope that some man of honour and probity may be sent Officer in Chief, who will not be bribed to betray it, nor afraid to defend it, *etc.* Nothing but treachery or cowardice could have made the enemy possessors of it, for that place and garrison as we left it could never have been thus surprised unless a profound lethargy had seized on both officers and soldiers all at once, *etc.* *Praises Capt. Moody*, and Mr. Colin Campbell in the former defence, *etc.* *Signed*, John Jackson. *Addressed.* 2¾ pp. [C.O. 194, 4. No. 127.]

April 2. **181.** Same to Mr. Popple. Enclosing preceding. *Signed*, John Jackson. *Endorsed*, Reed. 3rd, Read 4th April, 1710. *Addressed.* ½ p. [C.O. 194, 4. No. 128.]

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April 4.  
Whitehall.

**182.** Council of Trade and Plantations to Governor Handasyd. *Acknowledge* letter of Dec. 17. We are sorry to perceive that the sickness you mention has swept away so many of the inhabitants and soldiers. However we hope the loss of the latter will be made up by the recruits lately sent, for, as we have been informed by Capt. Gardner, there are more gone than will compleat your Regiment. What you write touching the bad condition of the men of war, and the Island's being infested by the enemies privateers, has been laid before the Commissioners of the Admiralty. You would have done well to have transmitted to us a copy of the Proclamation you issued for granting a pardon to the pyrates on the Spanish coast, *etc.*, that we might thereby have been more particularly informed of the said pirates. We do not understand that any of the members of Council who trade in negroes on their own account are disqualified from sitting on Appeals, so they do not act as Agents or Factors for others in that trade. We are somewhat surprized to hear of the arrival of the flotilla at Cadiz, under the convoy of only two French men of war, and wonder that they should escape the observation of the Queen's ships, and your privateers, so as to have no manner of intelligence of them from you. *P.S. Enclose* Order confirming Acts, March 30. [*C.O.* 138, 13. *pp.* 102-104.]

April 4.  
Whitehall.

**183.** Mr. Popple to Mr. Carkesse. Explains, for the information of H.M. Commissioners of Customs, why the Council of Trade do not think it necessary to make the corrections proposed by Col. Spotswood in the Earl of Orkney's Instructions (*v.* April 1). "As to the alteration of ye word England for Great Britain, it is not used otherwise than as a reciteals out of Acts pass'd before the Union." [*C.O.* 5, 1363. *pp.* 169-171.]

April 6.  
Whitehall.

**184.** Council of Trade and Plantations to the Lord High Treasurer. *Enclose* accounts of incidental expenses of the Office, and pray for payment of six months' salaries of Secretary and under officers. *v.* Journal of Council. [*C.O.* 388, 76. *Nos.* 96-98; and 389, 36. *pp.* 457-460.]

April 6.  
Whitehall.

**185.** Mr. Drift to Col. Spotswood. *Encloses* packets from the Council of Trade for New York, New England, Maryland, and Col. Jennings. *Signed*, Adrian Drift. [*C.O.* 5, 1363. *pp.* 171, 172.]

April 9.  
Spanish Town.

**186.** Governor Handasyd to Mr. Popple. *Acknowledges* duplicate of letter of Sept. 14th, the originall being not comed to my hand, *etc.* One of our privateers has brought in about 6 days agoe a brigantine and a sloop taken from the French loaden with tobacco, talloe, hides, sugar and Maderay wine, *etc.* *Signed*, Tho. Handasyd. *Endorsed*, Recd. 4th, Read 5th July, 1710. *Addressed. Holograph.* 1 *p.* [*C.O.* 137, 9. *No.* 9; and 138, 13. *p.* 142.]

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April 9.  
Spanish Town.

**187.** Same to the Council of Trade and Plantations. Since my last (duplicate enclosed), here has happened some alterations. I told you that I hop't in 10 dayes the Assembly would have finished both to the satisfaction of themselves as well as me; but as commonly our temper is here not to be very study, oftentimes troubled with a great deal of air and emptiness, blown up by the misunderstanding that has happen'd betwixt Mr. Beckford, who is Collector for foreign dutyes, and the Gentlemen here who believes the Island has suffered a great deall by it, as certainly it has, as your Lordships will see by the enclos'd copyes. The originall of which was sent by a Bristoll runner named the *Elton* gally, it was signed by the Clerk of the Councill, the Speaker of the Assembly Mr. Beckford and myself, in behalf of the whole Island; but this misfortune which I shall give you the following account is the reason why the duplicate is not sign'd as well as the originall, but I do assure your Ldships. that they are true copyes. On Monday night last being the 3rd inst. the Assembly at an unusuall hour betwixt 9 and 10 a clock at night, meet at the Assembly house, and their fell into such warm debates about turning out their Speaker, that they put the whole Town in an uproar and murder was cryed out in severall places. Upon which alarum I run with all speed towards the Assembly house, in my way I heard a voice and a man coming towards me, which I took to be Col. Beckford, altho' at some distance, who said that the Assembly had or was going to murder his sonn the Speaker, to which I answer'd, that I hop't to God I should come time enough to prevent, if not already done; upon which I heard a noise, which was the poor old Gentleman that fell; by which he dy'd in 2 or 3 minutes, notwithstanding there was severall hundreds of people abt. him, and endeavour'd all they could to bring him to life again, but nothing to the purpose. When I came at the Assembly house, haveing no Provost Marshall nor anybody with me, I resolved to prevent what mischeifs might happen, finding them all in an uproar and confusion, I rusht in amongst them, and in H.M. name commanded the house to adjourn till next morning, which I must say they immediately obeyed, nor did I see any sword drawn. The next morning I endeavour'd to send for the cheif of them to reconcile matters betwixt them, but found they had divided in relation to the chuseing of a new Speaker, one party pretending they would continue for the old, and the other for a new one; but finding the party for the old to be the majority, and finding they had done all the bills they designed to doe for this Sessions, that is to say, the quartering Act, an Act for the maintenance of prisoners of war, an Act for the raiseing of £5000 for fitting out 2 sloops for the security of the coast, an Act for raiseing an additionall duty and appropriating severall summs of money. The Councill did unanimously advise me since they resolv'd to goe upon noe other business, and that the heat and divisions amongst them was grown to such a height, that it would be of evill consequence to keep them any longer together; I sent the Provost Marshall for these in the house, the other party being out of doors, for them immediately

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to attend at the Councill Chamber, where these four bills was past, where both these that was with the old Speaker, and these with the new one came immediately. I took noe notice of the disputes that they had had amongst themselves nor named neither of their Speakers, but thank't them for their quick dispatch, and dissolv'd them as customery, which I found was very much to all their satisfactions. I have likewise sworn into the Councill in the place of Col. Beckford decd. according to H.M. Privy Seal Capt. Francis Oldfield. I shall take care to get the Acts as also the minutes of the Councill and Assembly ready to send by H.M. man of warr the *Kingston*, who will be ready to saile against the middle of the next month ; but cannot possibly get them ready to send by this pacqt. boat, neither do I think them safe, by reason she has been 11 or 12 weeks in her passage, *etc.* The pacqt. has brought me 37 recruites, the Capt. told me there was 70 put on board, but cannot give any acct. what's become of the rest, which I think is very hard usage, altho' the men says their was but 3 dy'd in their passage. *P.S.* the poor Sergt.'s pardon I have hourly expected, but as yet have not receive(d) it. *Signed and endorsed as preceding.* 3 pp. [*C.O.* 137, 9. No. 10 ; and 138, 13. pp. 142-147.]

April 9. **188.** Governor Handasyd to the Earl of Sunderland. *Duplicate*  
Spanish Town. *of preceding.* [*C.O.* 137, 51. No. 20.]

April 11. **189.** Mayor of Dartmouth to the Council of Trade and  
Dartmouth. Plantations. Our traders at Newfoundland, upon promises of an early convoy, have fitted their ships for Fishing voyages, and unless they forthwith proceed, they are in noe manner of hopes to gett a Farthing, for the fishing season will be spent, *etc.* They pray your Lordships' assistance, they having laid this matter before the Lds. of the Admiralty, but find noe redress, *etc.* *Signed*, Tho. Newman, Mayor. *Endorsed*, Recd. 15th, Read 19th April, 1710. *Addressed.*  $\frac{3}{4}$  p. [*C.O.* 194, 4. No. 129.]

April 17. **190.** W. I'anson, Gunner at Fort William, to the Council of Trade and Plantations. *Encloses following.* The memoryalls relating to Quebeck, *etc.*, in Canada, and to ye barbarous usage of English prisoners there, are what Major Lloyd delivered to mee att Renes in France, where hee still remaines, to bee layne before yr. Lordshipps, *etc.* He prays to bee specially demanded from France, and that yr. Honors will suspend judgment upon him, *etc.* *Recommends* a pilot for those coasts. *Signed*, Wm. I'Anson. *Endorsed*, Recd. Read April 20th, 1710. *Addressed.*  $1\frac{1}{2}$  pp. *Enclosed*,

190. i. Narrative of the state of Fort William and the surprise thereof. In ye night between Dec. 21 and 22, 1708, and between ye hours of 4 and 5 of ye clock, Fort William was surprised and taken by 160 French, Canadyans and Indyans, there being att that time 13 soldiers and 19 inhabitants with a sergt., corporal and gunner on guard, besides others present in ye Fort, Major Lloyd,

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Lt. Tym. Gullye, Lt. Tho. Phillips, Wm. Chalmers, Surgeon, and 40 or 50 soldiers more. 16 guns were mounted on the ramparts, and one fronting ye Maine Gate and Bridge. Arms and ammunition were ready and in good order. New pallasades had been sett upp near ye trench. In ye New Fort adjacent to Fort Wm. was another guard (of ye Militia), about 40 men, besides abt. 400 men more nott on guard but within ye sd. Fort. The enemy, with scaling ladders, one to every 6 men, wch. they had made ye day before in ye neighboring woods, approacht within musquett shott of ye outward pallasades before discovered; ye first centrye yt. challenged ym. was that on ye S.W. corner of ye new Fort; who (after 3 or 4 essays to fire his peice in vaine) quitted his poste and ranne to alarme ye next centrye on ye N.W. of ye new fort; crying as hee rann, Fire, Fire, but ye other centrye, thinking (as supposed) some of ye inhabitants' houses might have been on fire, might turne his eyes that way, for hee saw not ye enemye untill ye other centrye arrived, and shewed him, when he fired on them, and killed one man. After this, all ye centryes round both ye Forts fired to alarme. But ye enemye, upon ye first challenge, with all their speed rann upp to Fort Wm. in order to scale ye same, insomuch yt. myself (being in less than a minute after ye fire of ye first musquett on ye rampts.) saw the foremost of their bodye descending ye trench with their ladders. In my passage to ye rampts. I had mett Fra. Neall (a Frenchman who had deserted and by Engineer Vane ordered to doe dutye of gunner instead of Wm. Mathews deceased, and for that night was gunner on guard) from whom I recd. a lighted match and a horne (as I supposed) wth. powder; hee going from mee to allarm ye other gunners, and to unlock ye powder chests (as I understood). Passing by ye guard house, I saw a number of inhabitants without. I pray'd some of them to goe and assist mee on ye platfforme, but not one went with mee, some answering mee, it was none of their buisness. When I came on ye rampts. I lookt over, and saw ye enemy entering ye trench, when I forthwith layd down a gunn and poynted it towards ye enemye; butt (when I came to prime ye same), I discovered after sundrye essays yt. ye horne (I recd. from Neall) had no powder in it, upon which I ran to ye nearest powder chest, with hopes to have torne ye same open, but could nott by reason they had been lately fixt wth. new leather. Mr. Jno. Huxford joyned mee, and I left him to trye his endeavours, while I went to ye barrack for another horne of powder. When passing againe by ye inhabitants yn. crowding under ye shelter of ye Guard-house chimney, I taxed them with their cowardice. But none of them

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did goe on ye ramparts, except two, who were both killed or wounded. I was hasting back with another horne and match, but perceived numbers of the enemye already within upon ye plattform, and some of ym. fighting even att ye foot of ye ramparts. I judged then yt. ye onely refuge left was ye small armes. I went to furnish myself therewith in ye Major's Hall, when I saw Major Lloyd come in for ye keys, crying as hee rann, To ye Gates, Open ye Gates! when perceiving yt. hee wou'd have ye sallyport opened for ye inhabitants, and that no person followed to assist him, I rann after him, but was intercepted by a croud off our own men flying before ye French and pressing into ye Hall, by whom I was forced back againe, having been so farr out as to see Major Lloyd in his rann towards ye sally port to seize on a Fuzee in a Frenchman's hand, by pulling which either ye Major or ye Frenchman fell. The foresaid English after they had entered into ye Hall, shutt to ye door; upon which I made my way through the back doors for ye sallyport, speaking for them in ye Hall to follow mee, but none did. I heard some say ye Major was shott. I made my way to ye sally port, and found myself amidst a number of French cutting down an Englishman with their axes, wch. occasioned mee to retire by the same way I came, *etc., etc.*, and was made prisoner with Major Lloyd much wounded and bloodye; and this nott more than 3 minutes after ye first musquetts firing to alarm. Major Lloyd and Mr. Huxford were ye onely officers I saw abroad during ye time of action. The calling of the centryes Fire! Fire! did, I believe, amuse ye soldiers in bedd, with ye thoughts of some house in ye new Fort to bee on fire, as had often happened. If they had gott to their armes, they would have given a good acct. of their enemyes, being known to bee generally resolute bold fellows. But one of our most immedyat misfortunes was yt. of those 19 inhabts. then on guard in Fort Wm., so few would meet ye enemy on ye walls, which had they done, they then had given time enough for ye rest to have turned out. The South Castle surrender'd two days after, *etc.* *Signed*, Wm. I'Anson. *Endorsed*, Recd. April 20, 1710. 7 $\frac{1}{4}$  pp.

190. ii. A small description what the Indians did to the English prisoners six years agoe. There were about 300 Indians and 100 French, who came upon Dearfeild, where they killed and took about 200 prisoners. Ye Minister was taken with his wife and six childring, one of them they knock his brains out against the wall; his wife being a Gentlewoman bred and borne, daughter of Mr. Mayther, Minister at Northampton, brother to Mr. Cotton and Mr. Warram Walker, both Ministers in Boston, was most cruelly murthred, for she being

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bigg with child was not able to travail wth. her pack ; she was oblidged wrest herself ; her Indian master runs to her as she sat upon the snow and gives her a blow with his hatchett and stunned her, and than with all fury possible he strips her stark naked, and rips her belly open and brings forth ye child, and then sculps her, and when her husband came up, he took her sculp and threw at his face, many others they most cruelly put to death, this I speak not by hearsay, for I was a spectator and prisoner with them, some were starved, others was froz'n to death, others had their brains knock out, and of 100 prisoners, there was not above 40 when they came to Montryall. There was some that they burnt, and some yt. they scalded to death in kettles of boyling water, and made ym. suffer all sorts of crueltys imaginable. I shall give you an acct. of two young men who suffered the cruelest death yt. ever was thought of, one was Jno. Kunball, a very stout-hearted man, being taken by the Indians he was condemned to be scalded to death ; he was sent out with an axe to cut and gather wood together to heat the water ; it was a great kette that held nigh a barrell, ye Indians thought to have a brisk bout of dancing that would last 4 or 5 days, but as it happned they were greatly cheated, for whilst he was dancing round the boyling kette with an(*d*) Indian boy, as it was the custome (and as it fell out was his master's son, he being a chief Captain) he hopping and skipping befor the Englishman, playing all sorts of his impish bastardly tricks till at last the english man perceived that the water was boyling hott, he catches up the little imp by his heels and flings him headlong into ye boyling kette, the Indian Capt. further [*? father*] to ye boy, with some others takes up the Englishman and flings him after him, so he not only saved himselfe from an languishing death but he took revenge by sending a little whelp to Tophet headlong. They have a maxime among them yt. he yt. is to be burnt, is sett out in the feild and all the Indians make a ring round him, and there comes one of the old segnors and strips him stark naked, and with a deale of their reeding stuff they reed him all over as reed as blood, and that is to say yt. your to be burnt without any hops, that being done they give him an axe to cutt wood and gather it in together for to burn himself, and for to aggravat his sorrow, they will make him cutt a post and putt it in the ground to be tyed to, yt. being done, they make him strick fire and kendle it up himselfe, and then they tye him to the post, then they take pieces and barr of iron and old barrels of guns, and 1000 other instruments, which they put in the fire, and whilst they are heating, they dance round him. It may be that their is some hundreds to

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be tormenters, and he yt. invents most cruellty is ye best man. So when the irons be hott, each will take his instrument, one passing ye same across his shoulders, another will cast a gunn barrell betwixt his leggs, and so burn his private parts, others will take their knives and cut gashes in leggs : others in his thighs and others in their armes, and they will mix powder, salt and brimston and put it in their gashes, and sometimes hot embers, and then they will cease and unty him, and lead him to their wigwams, and give him some food, and so the next day they will begin again with some new inventions more cruell than the former, they will ty to the stake, and they will have 4 or 5 axes chain'd together which they heat reed hot, and then they put them round his neck for a necklace of amber beads or pearls, and with their hot irons which they will pass over all his body, so that he will not have a place so bigg as your finger but what is burnt and scorched, then comes up the women, all the old devillish sq[u]aws and childring, and take their men's places, for they being weary and their sport is begune to grow old. *End by tying* his head between his leggs so yt. he will be quite round and so burn him to ashes, *etc.* 4 pp.

190. iii. Names and condition of all English prisoners taken this year. Quebec, Oct. 3, 1709. (1) The first prisoner that was taken and brought to Cannada, Mamed Mehumain Hindille belonging to Dearfield, brought to Muntryall by some Cannada Indians, and much mis-used by these barbarous heathens, first brought to the Governour and examined and brought to the Indian toun, and forced to rune the gauntlett, where they beat him as long as they would, and was given to the Governour and putt into prison att Quebec, and lying there about 6 weeks, the Indians was a going to warr, they begune to call to mind of their damnable practice of burning an English prisoner before their departure to warr, they sent for him for to be burnt, the Governour readily gave him. We have had no news of him since. (2) Mrs. Whiten, from Dunstable, sick at Quebec. (3) One Moudy taken from Exeter with his brother and Jeremiah Killman and Saml. Stevens. Moudy was burnt by the Indians near Willmarie, who suffered manfully all the torments that the barbarous heathns could inflict upon him. Sir Kilman his fellow martyre was likewise burnt att the same time and did suffer all the torments that those cursed Devills could inflict on him. I have spoken with one Martin Kellog, a very credible young man, weel known to all Northern parts of New England, who buried him. (4) Joseph Clesson and Jean Armes, of Dearfield, arriving in sight of Mountryall, the Indians began to call to mind of their damnable practise, which is when they come in

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sight of a French place, they make a stope, and strips their prisoners stark naked, and with their painting stuff red them all over, and sett them before the company that has been to warr, who have each of them a club in their hands, who, when the word is given, they run and their prisoners run, and what blows they can give them befor they get into the fort they have for to welcome them to their new habitation, and if they have strenth for to gett into the fort in the favor of the blows, there is att the entry of the fort gate a heap of squaws and childring who stand ready for to receive them with their sticks, clubbs, pols and fire-brands, who lay on with all the force and might till he getts into the wigwame where he is to live, and being once there, he is safe from all their cruelties. The Indians carryed Joseph Clesson and Jean Armes to rune the gautlett (*as above*) and sett them befor their damned crue, and the word was given to start. Clesson being a very nimble man, seeing a horse that was feeding not farr from the Fort, he runn att once and leapt up on the horse, and away runns he streight to the fort, but the Indians who seeing their prisoner fled fort was in such a rage and fury that some of them flung themselves on the ground, and others out of madness pulled their hair, and wrang and twisted their hands, in the same time made crys that the very elements did thunder with the echo thereof, but poor Jno. Armes, who being in doolfull dumps behind, fearing that his turn wold come and pay for all, which indeed likeways came to pass, for the Indians sett him to runing, and he had not run farr, but these barbarous heathns struck him down to the ground, and beat him so pitifully that the young man could neither stand nor goe, neither could he speake, for he was carried into the Fort by two French men, who lay'd [*him*] upon a bed, and there he lay from 1 p.m. till 7 at night without speaking. The Governor sent for him to examine him for to know what news there was, which was their only end and designe in sending their Indianitish dogs for ym., but the poor man could never speak a word to ym. The next day he was a litle better, and the Indians carry'd him away into the woods, but we have not heard of him since. Clesson was by the French given to the Indians, which having laid their claws on him, soon called to mind what a trick he had served ym., begune as it is a custome for to take revenge ; they fell on him with their clubs and axes and some with their knives and others with stons, and beat him in such a shamefull manner that they had like to have killed him, they cut off his right hand and his face was cutt and hacked to pices, but they did not kill him as it happn'd, he is now with the Indians, but it is much to be feared that they will doe by him as

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they have done by many others. (5) Two Dutchmen that belong to Albany was taken by their brother in law, a Frenchman latly a liver in Albany. but these latter years was become a traitor, who being out with a small pairty of French and Indians, happn'd to light of these two men, and had very like to have been burnt, but were put into prison att Quebec, and there they are both weel. (6) The last prisoner that was made was brought to Quebec about a week agoe, he was taken from Wels, Saml. Russell by name, but they have misused him much, for he being shott into the arme, and more then that it was the Lord Intendant that sent them and gave them 600 livers for to take an English prisoner. He is now att the Hospital att Quebec, *etc.* There never passes a summer but there is a considerable number burnt and most cruelly murthered. I have been 6 years a prisoner in Canada, *etc.* *Endorsed*, Recd. April 20, 1710. 6 pp. [C.O. 194, 4. Nos. 131, 131 i.-iii.]

April 19. **191.** Mr. Popple to Mr. Burchett. Encloses letter from the  
Whitehall. Mayor of Dartmouth concerning convoys for Newfoundland  
(April 11th). [C.O. 195, 5. p. 140.]

April 19. **192.** Mr. Burchett to Mr. Popple. My Lords of the  
Admiralty are very much surprized at this application of the  
Office. Mayor of Dartmouth (April 11th, 19th), since there are convoys  
appointed which have lain for some days under orders to proceed  
to Newfoundland with the fishing ships, and to call at Dartmouth  
and the several ports westward for the trade, and that nothing  
but contrary winds can hinder their sayling from Spithead, where  
ye convoys now are; and Capt. Aldred, Commander of the  
*Rochester*, who is ye Commodore, has directions to send notice  
overland to the severall ports between that and Falmouth, by  
what time he shalbe off the said ports, that so the Trade may  
gett ready to joyne him upon his calling for them, and I believe  
he has ere this sent notice accordingly. *Signed*, J. Burchett. *En-*  
*dorsed*, Recd. Read April 20, 1710. *Addressed*. 1½ pp. [C.O.  
194, 4. No. 130; and 195, 5. p. 144.]

April 20. **193.** Order of Queen in Council. Referring following to the  
St. James's. Council of Trade and Plantations. *Signed*, Chris. Musgrave.  
¾ p. *Endorsed*, Recd. Read May 11, 1710. 1 p. *Enclosed*,  
193. i. Petition of Capt. Edward Cowley to the Queen. In  
1698 and till the death of King William, Petitioner was  
engaged with severall others, for the carrying on and  
settling a Colony on Tobago, of which he was unani-  
mously chosen Governour by all the undertakers, and  
that with H.M. Royall approbation, who was pleased  
to declare that petitioner's charges in the carrying on  
that design should be repaid, with a consideration for  
his time and trouble, if it should not succeed. His late  
Royall Highness, the Prince of Denmark was a great

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promoter and favourer of that undertaking, as were others of great quality, which to pursue he did his utmost endeavour, and disposed above 500 families, besides masons, carpenters and other handicraftsmen, and a great number of foreign Protestants to settle on the said Island, and with his said late Majesty's consent, officers commissioned for the Militia to be there, were taken out of the half-pay officers of the English Army, they desiring it. Which notwithstanding, the French Ambassador and the Dutch having put in their caveats, Petitioner found himself obliged to make a voyage into Holland to attend H.M. on that affair; of which he conceived great hopes, for that the House of Commons had desired H.M. to encourage as many as would make acquisitions in America. Notwithstanding all the trouble, pains and care taken by Petitioner, and the expence of £600 with his being out of Commission 3 years, the undertaking fell by the death of his then Majesty, whom petitioner had the honour to serve in the Household for severall years, till his death. And besides that, Petitioner was a great sufferer by the violence of the Papists in Ireland, *etc., etc.* *Prays* for compensation. *Copy.* 2 pp. [C.O. 28, 13. Nos. 23, 23 i.; and 29, 12. pp. 101-104.]

April 20.  
London.

**194.** The Four Indian Kings' [*Sachems*'] Speech to the Queen. Great Queen! We have undertaken a long and tedious voyage, which none of our predecessors could ever be prevail'd upon to undertake. We have been as a strong wall for the security of H.M. children against her enemies the French, even to the loss of our best men. The truth of which our brother Queder (Col. Schuyler) and Anadagarjaux, Col. Nicholson, can testify, they having all our proposals in writing. We were mightily rejoiced when we heard by Anadagarjaux that our great Queen had resolved to send an army to reduce Canada; from whose mouth we readily embraced our Great Queen's Instructions; and in token of our Friendship, we hung up the *Kettle*, and took of the Hatchet; and with one consent joined our brother Queder and Anadagarjaux in making preparations on this side the Lake, by building Forts, Storehouses, canows, and baatows; whilst Anadisia, Col. Vetch, raised an army at Boston, of which we were informed by our Ambassadors, whom we sent thither for that purpose. We waited long in expectation of the Fleet from England, to join Anadisia, to go against Quebec by sea, whilst Anadagarjaux, Queder and we went to Mont Royal by land; but at last we were told that our Great Queen, by some important affair, was prevented in her design for that season. This made us extream sorrowful, lest the French, who hitherto had dreaded us, should now think us unable to make war against them. The reduction of Canada is of such weight, that after the effecting thereof, we should have free hunting, and a great trade with our Great Queen's Children; and as a token of the sincerity of the

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Six Nations, we do here, in the name of all, present our Great Queen with these Belts of Wampum. In case our Great Queen should not be mindful of us, we must, with our families, forsake our country and seek other habitations, or stand neuter ; either of which will be much against our inclinations. Since we have been in Alliance with our Great Queen's Children, we have had some knowledge of the Saviour of the world ; and have often been importuned by the French ; both by the insinuations of their priests, and by presents, to come over to their interest, but have always esteem'd them men of falshood. But if our Great Queen will be pleas'd to send over some persons to instruct us, they shall find a most hearty welcome, *etc.* *Endorsed*, April 20, 1710. *Printed*. 1 p. [*C.O.* 5, 1049. *No.* 157.]

April 20. **195.** Mrs. Contee to Mr. Seymour. The duties of ships  
Maryland. cleared in Potomack, before your father died, and by vertue of his order amounted to £56. I thought it was reasonable it should belong to the Governor's estate, but Col. Lloyd commanded the bills out of my hands, *etc.* *cf.* Aug. 14. *Endorsed*, Recd. Read Oct. 27, 1710. *Copy*.  $\frac{1}{2}$  p. [*C.O.* 5, 717. *No.* 17.]

April 20. **196.** Mr. Popple to Thomas Newman, Mayor of Dartmouth.  
Whitehall. *Encloses* Mr. Burchett's reply relating to Newfoundland convoys, April 19. [*C.O.* 195, 5. p. 142.]

April 20. **197.** Mr. Popple to Mr. Burchett. *Encloses* Heads of Enquiry  
Whitehall. (*same as* June 9, 1709) for the Commodore of the Newfoundland Squadron. [*C.O.* 195, 5. p. 143.]

April 21. **198.** Council of Trade and Plantations to the Earl of  
Whitehall. Sunderland. *Enclose* extract from Governor Dudley's letter, Jan. 31, relating to the desire of the Massachusetts Bay and New Hampshire that the expedition against Canada may be renewed, *etc.* [*C.O.* 5, 913. p. 203.]

April 21. **199.** Mr. Popple to Mr. Burchett. *Encloses* extract of Col.  
Whitehall. Jenings' letter, Jan. 11, relating to the loss of H.M.S. *Garland*, *etc.* [*C.O.* 5, 1363. p. 180.]

April 21. **200.** Mr. Popple to Mr. Burchett. *Encloses* extract of  
Whitehall. Governor Dudley's letter. and representation of merchants of the Massachusetts Bay relating to Naval Stores. *v.* Jan. 31. [*C.O.* 5, 913. pp. 223, 224.]

April 22. **201.** Council of Barbados to the Council of Trade and  
Barbados. Plantations. The favourable reception as well as justice, which some of us have met with from your Lordships' honourable Board, has encourag'd us to make fresh application to your Lordships, *etc.* 'Tis not but with the greatest concern that we finde ourselves oblig'd to lay before your Lordships some resolves of the late Generall Assembly against us for not passing, as they pretend, the Excise Bill, but in truth for our disagreeing to their

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choyce of Mr. Downes, whom the Assembly had appointed Treasurer by that Bill, for, excepting that appointment, the Council unanimously agreed to everything else contain'd therein. Your Lordships have very lately had an occasion of inquiring into that Gentleman's conduct, and we have been soe happy to have seen your Lordships' report thereon to H.M., and her Royall approbation thereof, which was one of the greatest inducements wee had to oppose that gentleman's being elected Treasurer. *Pray* that enclosed be laid before H.M. in Council. Your Lordships will please alsoe to peruse the draught of a Bill which now lyes before the Governor and Council, the passing whereof we hope will in a great measure take away the bone of contention, and consequently put an end to our unhappy differences, *etc.*; but if from private views this Bill should meet with opposition in the Assembly, as we have great reason to apprehend, we hope to stand fair in your Lordships' good opinion, haveing contributed on our part everything for promoting the publick good. *Signed*, Wm. Sharpe, Saml. Cox, Middleton Chamberlen, Alexander Walker, Tho. Alleyne, Sam. Beresford, Jno. Pilgrim, Timothy Salter. *Endorsed*, Recd. Read July 13th, 1710. 2 pp. *Enclosed*,

201. i. Copy of resolves of the Assembly of Barbados, March 14, 1709, against the Council, upon their amendment to the Excise Bill, proposing to appoint a Treasurer, Raines Bate, in place of the Treasurer appointed by the Assembly. *Same endorsement*. 2 pp.
201. ii. Copy of reply of the Council of Barbados to *preceding*. *Signed as covering letter*. *Same endorsement*. 2½ pp. [C.O. 28, 13. Nos. 30, 30 i., ii.; and (without enclosures) 29, 12. pp. 111-113.]

April 23.  
Barbados.

**202.** Governor Crowe to the Earl of Sunderland. Since my last (March 6) Capt. Spann arrived here with the Jamaica Fleet, who bringing me no orders from your Lordp., nor advice of any of H.M. ships to conduct me home, and least any delay should be numbered among the many crimes I am censured with, I intend to embarke on a merchant ship, Capt. Swann, who is now a loading and will sail in 15 dayes for London, being the first that has offered for that port. I shall leave all necessary instructions with Major Lillington who is the first in H.M. Council, *etc.* *No signature or endorsement*. 1 p. [C.O. 28, 43. No. 39.]

April 24.  
Admiralty  
Office.

**203.** Mr. Burchett to Mr. Popple. *Acknowledges* letter of April 21. My Lords Commrs. of the Admiralty have sent the Heads of Enquiry to Capt. Aldred of the *Rochester*, who is Commander in Chief of the ships going to Newfoundland, and given him directions thereupon accordingly. *Signed*, J. Burchett. *Endorsed*, Recd. 25th, Read 26th April, 1710. *Addressed*. ¾ p. [C.O. 194, 4. No. 132.]

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April 24.  
Antigua.

**204.** Governor Parke to the Council of Trade and Plantations. *Encloses* petition from the soldiers, upon which I have had them before the Generall Council, and everyone upon oath examined in the presence of Col. Jones and the officers, and it appeared to me and the Council their condition is very deplorable, and rather worse then sett forth by their petition. I have carryed Col. Jones with me from Island to Island, and muster'd the whole Regiment, and find in the whole but 260 effective men, tho' the severall Lt. Governors (whose business it was to muster them) have constantly muster'd them full. The Islands have been very healthy ever since the Regiment came, that few or none have died but for want of necessarys, some of the men have been sold to the Planters by the Coll. and many have chose to desert rather then perrish. I have often writt about the abuse of this Regiment, but have not been so happy to receive any answer, and what officers I have placed have been superceded, though in so doing I am not only warranted by my commission, but by the particular establishment of this Regiment signed by the Queen and Lord Treasurer, so that some Gentlemen have been superceded 10 months after they have done duty and ventured their lives. If this be Justice, I leave your Lordships to judge. I have so often writt upon this and other affaires, I should hereafter be silent did I not think the lives of so many poor wretches that perrish would lye at my doore, if I neglected endeavouring their reliefe to the utmost of my power. This is the originall quarrell of Col. Jones, who in revenge, has joined with Codrington's faction, and has vanity to think he shall (with his intrest and their money) remove me, and gett into my place. But I hope I am secure your Lordships and the Ministry will protect me whilst I do my duty, and I desire no more. There is an old maxim, Truth may be trampled underfoot, but never trodd out. And notwithstanding the vast summs raised and expended to procure friends, to remove me, and blacken my reputation, I shall (at long runn) be able to expose those that have espoused their cause. I have religiously followed my Instructions, maintained H.M. Prerogative, and increased her Revenue, and those are my crimes, lett them pretend what they will to the contrary, and I don't doubt but to make the same appeare. The Generall Assembly has done nothing, but I am obliged to the news brought whilst they were sitting, for they had yielded to my putting in their Clerk, and sent me a message writt by the Clerk I putt in, and was going to enter on business, but a Bristoll man arriveing that night at Nevis, Col. Jones, who was there, sent them word I was put out. The next morneing they insisted anew to choose their owne Clerk. I shall send the Minutes home, and leave it to your Lordships then to judge, whether I have acted well or ill. *Signed*, Daniel Parke. *Endorsed*, Recd. 19th, Read 20th June, 1710. *Addressed. Postmark. 3 pp. Enclosed*,

204. i. Petition of the poor and distressed soldiers belonging to Col. Jones' Regiment to Governor Parke. Some of us formerly belonged to Col. Whetham's regiment, and upon the officers being recall'd, we were here left

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without being paid, tho' we were in hopes after your Excellency had promised we should have our case represented home, we should have been paid, and been allow'd for the cloaths we had due to us. But to this day we have received neither. And for us that came from Ireland, 'tis now above 3 years since we came from thence, and during all this time wee have received hardly any pay, and only one coat, one capp, one shirt and one course lining jackett and breeches, one pair of shoes and one pair of stockings, all which were sent over by Col. Lillington, since which time, what shoes we have had from our officers, are charged to us at 12s. per pair, and course yarn stockings at 7s. the pair, and whatever we have had of them is charged proportionably, so that our whole pay is thus discounted; and to subsist us, wee have allow'd some of us 7lb. of beef, and others but 4lb. all the week, without any bread, and others of us have no allowance at all. All this great misery has befallen to us since Col. Jones had the Regiment, for before we had some cloaths and some money. But since he was our Col., which is about two years, we have had neither cloaths nor money. Our Officers tells us that they receive none from their Colonel. All provisions (such as we want), ever since Coll. Jones has been Coll., has been and still continues so cheap, that if wee were cloathed and paid, we might live comfortably without being obliged to the charity of the people, and lay up so much mony out of our pay, as to buy fresh meat, to relieve us when sick, for the want of which great number of us has perrished, and are already reduced to less then half a Regiment, and we are all like to perrish in a litle time, except your Excellency and Honours will recommend our sad and deplorable condition home to the Queen. We had long since laid this our condition before your Excellency, but for fear of our officers, from whose fury wee now begg protection. 110 *signatures*. *Copy. Signed*, Wm. Martin, Clerk of the Genl. Council. *Endorsed as preceding*. 1 *large p.* [C.O. 152, 9. Nos. 21, 21 i.; and (*without enclosure*) 153, 11. pp. 51-54.]

April 24.  
Whitehall.

**205.** Mr. Popple to Mr. Solicitor General. The Council of Trade and Plantations having received frequent complaints of great waste committed in H.M. woods in New England, which, if not timely prevented, may be a great hindrance to the supplying of H.M. Navy with masts, send you enclosed Charter of the Massachusetts Bay. You will find a clause marked, by which all lands *etc.*, formerly granted to any person or persons, towns, colleges, *etc.*, are confirmed, and another clause whereby all trees of a certain diameter, growing upon any lands not heretofore granted to any private persons are reserved to the Crown. By

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this last mentioned clause the Crown is restrained from the cutting of masts growing upon the lands of private persons. But there has been a doubt made upon the meaning of those words *private persons*. Their Lordships desire your opinion whether by the words private persons mentioned in the last clause the lands granted to body's politic, towns, villages, colledges or schools, are to be understood. [*C.O.* 5, 913. *pp.* 234, 235.]

April 24.  
Virginia.

**206.** Lt. Governor Jenings to the Council of Trade and Plantations. It is with a particular gratitude that I have had the honour to receive from your Lordships in your letter of Oct. 12 H.M. royal commands for settling the boundarys between this Colony and the Province of Carolina, together with H.M. Order in Council for removing those illegal interruptions that Government had given to our Indian trade, both which will prove as great a satisfaction and benefite to this country, as they are indeed of importance for H.M. service. The sudden departure of the ship, by which this is design'd, while the General Court is sitting, will not give me leave to enlarge upon what has been resolved on, in obedience to H.M. Commands, but I shall take the first safe opportunity to transmitt the same to your Lordships. I can only now acquaint your Lordps. that upon the arrival of Captain Smith last week in H.M.S. the *Enterprise*, I find that the sloop (*v.* March 10) is on the account of private persons, and so I have been obliged to discharge her : but the arrival of that ship, tho' she be in a bad condition (as having suffered very much in her passage) will be of great service to secure us against the privateers. There hath of late been very happily discovered an intended insurrection of the negroes, which was to have been put in execution in Surry and James City Countys on Easter Day ; but the chief conspirators having been seasonably apprehended, their design is broke. There are two of them tryed this General Court, found guilty, and will be executed, and I hope their fate will strike such a terror in the other negros as will keep them from forming such designs for the future, without being obliged to make an example of any more of them. I am sorry to informe your Lordps. that diverse parts of the Countrey continue still very sickly, and that a great many are dead of that distemper which has in some degree or other gone through almost the whole Country. As to anything else, I thank God the country is in perfect quiet, and enjoys a greater plenty than could have been expected from the last years crops. *Signed*, E. Jenings. *Endorsed*, Recd. 3rd, Read 7th July, 1710.  $1\frac{3}{4}$  *pp.* [*C.O.* 5, 1316. No. 47 ; and 5, 1363. *pp.* 189-191.]

April 25.  
Whitehall.

**207.** Council of Trade and Plantations to the Earl of Sunderland. Enclose for H.M. signature draft of warrant to the Governor of Jamaica to use the new Seal for the Island prepared by Mr. John Roos, H.M. Seal cutter (*cf.* July 17, 1708, July 12, 1710.) [*C.O.* 138, 13. *pp.* 107, 108.]

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April 25. Admiralty Office. **208.** Mr. Burchett to Mr. Popple. In answer to your letter of 21st inst., my Lords Commrs. of the Admiralty have ordered the *Tryton's* prize, a ship of the sixth rate, to be forthwith fitted for a voyage to Virginia, and to proceed and joine the *Enterprize* cruizing between the Capes there, in the roome of the *Guarland*. *Signed*, J. Burchett. *Endorsed*, Reed. 25th, Read 26th April, 1710. *Addressed*.  $\frac{3}{4}$  p. [*C.O.* 5, 1316. No. 45; and 5, 1363. p. 181.]
- April 27. **209.** Mr. Campbell to Mr. Popple. Desires to see the draught of the Representation upon his petition, *etc.* *Signed*, Ja. Campbell. *Endorsed*, Reed. Read April 27, 1710. *Addressed*. 1 p. [*C.O.* 194, 4. No. 133].
- April 28. **210.** Minutes of the Society (? for propagating the Gospel in Foreign parts). Reported from the Committee, that upon consulting Col. Nicholson, Col. Schuyler and the Indian Sachems themselves, for the more effectual prosecuting the design of converting the Indians. (i) That the Society should begin with sending two ministers, single persons, and an Interpreter. (ii) who should reside at Tynderooghe, the principal village of the Mohawks. (iii) £150 per annum to be allowed to each minister, and £60 to the Interpreter. (iv) That a chapel and house should be prepared in the said village for the missionaries and an Indian fort for their defence. (v) The Ministers are to perswade the Indians to permit their children to be instructed in our tongue, *etc.* and by help of those who have the education of the English youth in those parts, they are to take care to have some of them learn the Indian language. (vi) That a brief History of the Bible or New Testament, a catechism, some prayers, psalms, *etc.* be translated into the Indian language, and printed and copies thereof disperst among the Indians, and therein notice taken occasionally of the errors in the Quebec catechism, publisht by the French. (vii) That it be recommended to the Govrs. of New England and New York, strictly to put the laws in execution, against selling rum, brandy and other intoxicating liquors, to the Indians, this being the earnest request of the Sachems themselves. *Signed*, W. Taylor, Secretary. 1 p. [*C.O.* 5, 9. No. 51.]
- May 1. Whitehall. **211.** Mr. Popple to Isaac Addington. *Acknowledges* letters and public papers. Col. Nicholson, who is on his return to your parts, has promised to convey this letter to you, and will, I doubt not, give you a particular account of his negotiations here, with relation to the late intended expedition against Canada, and of what has been done in order to a revival of that undertaking. [*C.O.* 5, 913. pp. 235, 236.]
- May 2. St. James's. **212.** Additional Instruction to Governor Hunter, revoking clause in additional Instruction of Jan. 26, directing him to take care that a clause be inserted in grants of land to Palatines declaring said grants void, if the grantee apply himself to the

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making the woollen or such like manufacture ; it having been represented unto us that the inserting such clause is unusual and unnecessary, sufficient provision in that respect having already been made by the Laws in that behalf, *etc.* A. R. [*C.O.* 5, 210. *pp.* 207, 208.]

May 2.  
St. James's.

**213.** Additional Instruction to Governor Hunter. Approving Representation of Council of Trade as to illegal trade and Flags of Truce, we strictly charge you that whenever you shall think it convenient or necessary for exchanging of prisoners or upon any other account whatsoever to send out ships with Flags of Truce to any Islands, Colonys or Plantations in the possession of our said enemys, you take particular care that no more goods or provisions be laden on board such ships or vessells than what shall be necessary for such their voyage, and that you do not under any pretence whatsoever offer or allow of any such traiterous and illegal practices as have been heretofore used of sending to our said enemies Islands, Colonys or Plantations any supplies of provisions or other goods whereby they have been assisted, comforted and relieved to the great prejudice of our good subjects in those our Dominions. A.R. The like Instruction was sent to the Governors of Jamaica, Leeward Islands, New Hampshire, Virginia, Barbados, Bermuda, and the President and Council of Maryland. [*C.O.* 5, 210. *pp.* 209, 210.]

May 2.  
Fort  
Kykoveral,  
Rio Essequibo.

**214.** P. Van der Leyden Rezen to the Directors of the Dutch West India Company. *Signed*, P. Van der Leyden Rezen. *Endorsed*, Read Sept. 15, 1710. Dutch. 5 $\frac{1}{4}$  *pp.* [*C.O.* 116, 21. No. 1.]

May 2.  
Whitehall.

**215.** Council of Trade and Plantations to Governor Dudley. *Acknowledge* letters of Jan. 31 and Feb. 3. We have laid before H.M. what you write in relation to the great expence the Provinces under your Government have been at for their defence and the late intended expedition against Canada, as also what you say in relation to the ready compliance of both Provinces with H.M. commands touching the said expedition, and what you say abt. your having a Quota of men superiour to the neighbouring Provinces and to the revival of the foresaid expedition, and must refer you to Col. Nicholson, the bearer hereof, for an account of H.M. pleasure thereupon. *Refer* to letter of Jan. 16, and proposal for the passing of an Act of Parliament for the preservation of mast trees in New England (*q.v.*). But this proposal being made towards the end of the last sessions, nothing was done therein. However, we shall early the next sessions again humbly propose to H.M. the passing of such an Act, which can only prevent the great spoile and waste in H.M. woods in those parts. Upon your recommendation of Richard Waldron, Winthrop Hilton, Joseph Smith, Mark Hunkins, and Thomas Packer, to be members of Councill of New Hampshire, we did propose accordingly (*v.* Dec. 1705, March 1707, 1709), and H.M.

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gave directions to a Secretary of State to prepare warrants for H.M. signature accordingly; but upon enquiry we do not find that any such warrants have been prepared, or that any person appear'd to solicit the dispatch of them, or to take out the same, if they had been signed by H.M. : wherefore you will do well to send us a list of such persons as you shall judge fitly qualified to serve H.M. in that station, and who will employ some person here to take out the warrant for the same; and when we shall have received such a list, we shall propose so many of them to be Counsellors, as shall be found requisite to make up the number 12 compleat. As to the Act passed by the Genll. Assembly of the Massachusetts Bay in 1705, *for the better preventing a spurious and mixed issue*, etc., wherein there is a clause relating to a duty upon negroes, we shall take the same into consideration, with what you write thereupon, and give you an account of what shall be done therein. We are glad to hear from you that the supply of ordnance and stores of war sent by H.M. for New Hampshire are safely arrived there, and doubt not but the disposal you mention to have made of them in the Fort and elsewhere, will be for the service of the said Province; you have done well in taking and securing the thousand small arms sent by H.M. for the late expedition to Canada, which otherwise as you observe might have been lost: whereas they will now allways be ready as any future service may require. As you have from time to time with great care and diligence, endeavoured as much as in you lay, to promote the encrease and production of Naval Stores, so we doubt not but you will continue to do the same, and as occasion offers give Mr. Bridger all the assistance in your power in the due execution of his office. We have considered the Representation of the Principal Merchants of the Massachusetts Bay to yourself, containing proposals for the farther encouraging the production of the said stores in New England, and are to acquaint you that, before the receipt thereof, we had laid before H.M. the substance of the principal matters therein set forth upon Col. Hunter's going over H.M. Governor of New York, and his taking with him 3000 Palatines, to be settled there at H.M. charge, etc. But we must observe to you, that what is proposed by the last clause in the merchants' foresaid Representation, is not likely to be complied with here, nor indeed is it reasonable, to suppose that altho' the goodness and fitness of such stores be certified by officers in the Plantations, they will be taken or accepted into H.M. stores in this Kingdom, before their goodness and quality have been examined by persons appointed by the Navy Board to do the same. There is yet no complaint come before us, relating to the line of division between Connecticut, and your Government, nor do we hear that there is any before H.M. When anything of that nature shall be referred to us, you may assure yourself, we shall be ready to hear what you and the Assembly of the Massachusetts Bay may have to offer thereupon, in order to the laying a true state of the matter as it shall then appear to us, before H.M. We are sensible you find it very difficult to furnish the Commanders of H.M. ships of

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war with men ; however your endeavours to supply Capt. Teat is commendable, and all that we conceive you could do in that matter. [*C.O.* 5, 913. *pp.* 236-242.]

May 2.  
Whitehall.

**216.** Mr. Popple to Govenor Dudley. *Acknowledges* letters. Mr. Collins has promised to lay before their Lordships a full answer to Mr. Bridger's complaint (*v.* Feb. 3), which so soon as he shall have done, you may expect a further account of that matter from their Lordships, *etc.* [*C.O.* 5, 913. *p.* 243.]

May 4.  
Whitehall.

**217.** Mr. Popple to Mr. Carkesse. Enquires how the duties collected in Jamaica by virtue of the Act *for the encouragement of Trade*, are accounted for here, and applyed, and whether those duties were payable before the said Act. [*C.O.* 138, 13. *pp.* 114, 115.]

May 5.  
Whitehall.

**218.** Mr. Popple to Mr. Burchett. Encloses extract of Governor Handasyd's letter, March 25, relating to the bad condition of H.M. ships, and the arrival of two French men of war. [*C.O.* 138, 13. *p.* 116.]

[May 5.]

**219.** Petition of Merchants, Owners and commanders of privateers at Jamaica to the Queen. Upon the rumour of the encouragement given by the Act *for the encouragement of the trade to America*, severall hundreds of seamen, your Majesties subjects who were in the service in the Dutch at Curasow *etc.* quitted it and resorted to Jamaica, which some hundred of Forreigne seamen have done likewise, and severall inhabitants of this Island fitted out privateers and abundance of prizes were takeing from the enemy, particularly the French, whose trades in these parts, were it not for the advantage of using the Spanish ports would be thereby entirely ruined. Untill July last noe customes or dutyes were exacted on any prize goods, except some dutyes laid on some particular comodities by an Act of this Island passed April 14 last, which were demanded by Charles Chaplin, Receiver Generall and Collector of the Imposts of the Island. The said dutys, tho' they fall very severe in some instances, did not so far discourage your Majesties subjects but that they continued to annoy to a greater degree than ever was known before, and the owners of the said private men of warr have constantly divided among the mariners the neat produce of the respective prizes according to their agreemts., without reserveing any summes on account of customes and dutys, (other then those demanded by the said Chaplin), believing either that no other customes and dutys were payable to your Majestie, or that your Majestie was graciously pleased to remitt them, because that noe demand was ever made by any officer whatsoever untill the above mentioned month. Peter Beckford,

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jr., Collector of the outward-bound Customes of this Island, gave out that he had instructions for the Commissioners of Customs not only to collect such customes and dutys as should become due and payable to your Majestic by vertue of the Act *for the encouragement of the trade to America* for the future, but likewise to prosecute all owners and agents for your Majesties ships of warr or privateers that have disposed of prize cargoes and not pd. the sd. customes and dutys. Very soon after Beckford pretended he had the above-mentioned instructions, one Capt. Charles Pinkeman having brought into the harbour of Port Royall a French prize, the *Vigilant*, and having according to the demand of the said Beckford made an entry of the said prize goods, he demanded for customes and dutys £25 p.c. ad valorem on all the said prize goods without exception, being made sensible of his mistake, he afterwards demanded 15 p.c. under colour of an Act of Parliamt. passed in England in the second yeare of your Majestic's reigne, which is expired, and actually collected of Pinkeman and his mariners £1,600 on pretence of customes and dutyes; this proceeding having occasioned a very great murmur and discontent, he refunded £400 to the captors, under pretence of finding out his mistake. The Commissioners of Customs have agreed with Beckford to allow him the third pt. of the said customes in lieu of a sallery, which occasions Beckford to be very rigid in the execution of the pretended office, demanding dutyes pro rata for all prize goods as they are sold here without regard to the book of rates, or the English prices and vallues, and prompt paymt. without any deduction or abatement. whatsoever. One Capt. Darby Donovan, Commander of a private man of warr, the *Charles*, having brought into Port Royall a French prize, *L'Aurore*, being very leaky, the Court of Admiralty, on motion of the Captor's proctors, ordered the goods of the sd. prize to be landed, and appraised and put into a publick storehouse, as they are obliged to do by the Act. Yet Beckford, on pretence that the goods were forfeited by being landed without having pd. the customes and dutyes procured a Justice's of Peace's warrant to seize them, altho' the Captors offered to make a due entry of the said goods and to give undeniable security to pay such customes *etc.* as should appear really due. The Clause relateing to the Customes and Dutys, there being no proviso that, upon the paymt. of them in this Island and certificate thereof given, allowance shall be made upon an importation of the said prize goods into great Britain, or an exemption from the taxes laid thereon by the Assembly here, contradicts the title of the American Act so far and is soe unhapily calculated with respect to the interest and circumstances of this Island, that if the sd. clause was put in execution with the utmost caution and care to render it supportable, it must be in time the certaine ruin of this Country. Beckford has been soe far from using any tenderness in this affaire, that he has actually prosecuted some Agents for Customes and Dutyes, altho' they have actually accounted with their respective captors and made no deductions for the said dutys,

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and in severall instances exceeded both the intent and letter of the law, and by his threatening speeches and violent and arbitrary way of proceeding has alarmed the privateers to that degree that some of them have actually acquitted the Island, and the rest threaten to follow and enter into foreigne service, if there is not some speedy redress. As there will be an immediate end of privateering if the above-menconed clause in the American Act stands repealed, and the French have by the free use of the Spanish ports such advantage over the inhabitants of this Island by the way of trade that can only be ballanced by the encouragment. of privateers, that if the sd. privateers should desert this Island, it would be extreaimly exposed to the enemy, and its loss would be irreparable, Petitioners pray H.M. to give such reliefe in the premisses as shall seem fitt. *Signed*, Charles Gandy, Tho. Perkin, John Ramsey, Richard Sleign, Will. Hayman, Sam. Tudman, Peter Day, Tho. Simson, Alex. Hamilton, Robt. Tredwey, Tho. Tyldesley, Will. Crombie, John Beswick, John Willard, Tho. Fagg, John Yannes, Tho. Wells, Wm. Hall, Tho. Novell, John Lodge, John Ga, Wm. Lodge, Robt. Howard, Wm. Tempest, Tho. Colbey, Darby Dovanan, John Marshall, John Sparkes, Robt. Buckingham, George Hall, Garritt Moore, John Gibbens, Sam. Tynes, Edger Tipper. *Endorsed*, Recd. May 5, 1710.  $2\frac{1}{2}$  pp. [C.O. 137, 9. No. 1; and 138, 13. pp. 117-126.]

May 6. **220.** Mr. Carkesse to Mr. Popple. Encloses following (*cf.*  
Custom house, Feb. 25, May 4), relating to the customs payable by the Act  
London. *for the encouragement of trade to America.* The duties payable  
on prize goods in the Plantations by virtue of the said Act are  
applicable to the different fonds charged by the respective Acts  
that lay the same. They were not payable in the Plantations  
before the said Act. *Signed*, Cha. Carkesse. *Endorsed*, Recd.  
8th, Read 9th May, 1710. 1 p. *Enclosed*,

220. i. Copy of the Solicitor General's opinion about the duty  
on prize goods in the Plantations. *Signed*, Jam.  
Mountague, May 25, 1708. *Endorsed as preceding.*  
 $1\frac{1}{2}$  pp.

220. ii. Copy of a presentment to the Lord High Treasurer,  
with his order thereupon relating to the duties on prize  
goods in the Plantations. *Signed*, Godolphin. June  
14, 1708. *Same endorsement.* 1 p.

220. iii. Commissioners of Customs to the Officers in the  
Plantations about the duty on prize-goods there.  
Sept. 25, 1708. *Signed*, S. Clark, W. Culliford, J.  
Werden, J. Stanley. *Same endorsement.* *Copy.* 1 p.

220. iv. Scheme of the duties payable upon prize goods in  
the Plantations. Custom House, London. Nov. 11,  
1708. *Signed*, by Order of the Commrs., Richard  
Savage, Secy. *Same endorsement.*  $1\frac{3}{4}$  pp. [C.O.  
323, 6. Nos. 102, 102 i.-iv.; and (without enclosures)  
324, 9. pp. 432-434.]

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May 6.  
Barbados.

**221.** Governor Crowe to the Council of Trade and Plantations. By Capt. Span I received your Lordps. of Dec. 9, and immediatly ordered the entring in the Council Books those papers your Lordships was pleased to direct, as also the breaking of the Great Seal, which shall be sent per H.M.S. *Greenwich*, the new one is now in use, and that for Bermudas I have ordered to be sent per first good conveyance. By the extracts in your Lordps. of Jan. 19, I perceive the intelligence of an illegal trade at Curaçoa from H.M. Colonies, I have endeavoured what has in me layn to prevent it from hence, as I formerly advised your Lordps. Having no orders for any of H.M. ships to conduct me home, and least any delay should be numbred among the many crimes I am censured with, I intend to embarke on a merchant ship, Capt. Swan Commander, who is now loaden and will sail in three dayes for London, being the first that has offered for that Port since H.M. orders. The Council has not thought fitt to pass the excise or Levy Bills from the new Assembly, altho' I have layd before them the necessity thereof at this juncture, their being no money in the Treasury, and it is but this very day that the three gentlemen has brought me their papers to attest to goe under the seal, notwithstanding my solicitations for them long agoe. I shall leave all necessary instructions with Major Lillington, who is the first in H.M. Council, and hope so to acquit myself as to have the honour of continueng amongst, my Lords, your Lordships' Most obedt. humble servants, *Signed*, M. Crowe. *Endorsed*, Reed. 14th, Read 17th July, 1710. 2 pp. [*C.O.* 28, 13. No. 31; and 29, 12. pp. 114, 115.]

May 6.  
Barbados.

**222.** Governor Crowe to the Earl of Sunderland. The *Frankland* Packet arrived here three dayes ago, but I was not honoured with any from your Lordship. The enclosed is a duplicate of my last, the ship I intend to imbarke on is fully loaden, so I hope to leave this Island in 3 dayes. *Signed*, M. Crowe. 1 p. [*C.O.* 28, 43. No. 40.]

May 8.

**223.** Charles Mason to the Council of Trade and Plantations. Thes are to certifie that Capt. Edward Cowley was in Holland the last year of his Majesty's reigne, King William, for the carying on the designe of peopling and planting Tobago, and was very much encouraged by Charles, Earle of Maxellfeld, [*?Macclesfield, Ed.*] who finding by the report of Capt. Cowley, the Governer, that severall in England did all they could to frustrat that undertaking, delivered a petition with his owne hands to H.M. att Loo, who received itt very graciously, and promised his Lordship itt should be according as was requested in the pettion. Capt. Cowley lived very handsomly and keptt the best of Company, which must be a great expence to him. *Signed*, Cha. Mason. *Endorsed*, Reed. Read May 17, 1710. ¾ p. [*C.O.* 28, 13. No. 26.]

May 9.  
Whitehall.

**224.** The Earl of Sunderland to the President of the Council in Maryland. I enclose a petition of John Chidly and Peregrine

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Brown of London, merchants, who alledge that they are very unjustly dealt with by one James Frisby, who has defrauded them of a number of negroes to the value of £2700, I desire you will enquire into this matter, and give them all the assistance in your power towards the recovery of their just rights. *Signed*, Sunderland. [*C.O.* 5, 210. p. 211.]

May 9.  
Whitehall.

**225.** The Earl of Sunderland to Governor Hunter. I have received the favour of yours of April 10th, and enclosed the Instruction you desired concerning the Palatines, and another (*v* May 2) *etc.* I have given directions to the Commissioners for the exchange of prisoners about facilitating Monsr. Varenne's exchange, and you may depend upon his being kindly used, and that all possible regard shall be had to your recommendation by, *Signed*, Sunderland. [*C.O.* 5, 210. p. 211.]

May 10.

**226.** Sir Wm. Ashhurst to the Council of Trade and Plantations. I received some time since a Commission from the Assembly and Council of Massachusetts Bay, empowering me to be their Agent here, but was obliged to decline, my health not permitting me, *etc.* However lest the Province should suffer in its interests, till the Assembly's further pleasure shall be known, I have desired the bearer, Mr. Dummer, to take upon him that post. He is a native of the country, and fully acquainted with all things relating to their trade and Government, and was desired to be assisting to me, if I had accepted of the Agency. My humble request is therefore to your Lordships, that you will please to order his admittance to yr. presence upon such occasions as relate to the Province, *etc.*, *etc.* *Signed*, Wm. Ashhurst. *Endorsed*, Recd. Read June 6, 1710. 1 p. [*C.O.* 5, 865. No. 45.]

May 10.  
Bristol.

**227.** Merchants of Bristol to the Council of Trade and Plantations. We beg your Lordships pardon for this trouble, which we give you at the request of the merchants in this City on acct. of the Trade to Newfoundland, wh. is much decayed of late years. We doubt not your Lordships' perticular regard for it, when H.M. shall think fit to treat of a peace with France, and your concurrence with us, that if the whole country, islands and banks were subject only to Great Britain, it would very much advance the generall trade of this Nation and increase our seamen. *Signed*, Antho. Swymmer (?), Master of the Society of Merchants; Robert Yate, Wm. Dames. *Endorsed*, Recd. 13, Read 16th May, 1710. *Addressed*.  $\frac{3}{4}$  p. [*C.O.* 194, 4. No. 134.]

May 11.  
Antigua.

**228.** Governor Parke to the Council of Trade and Plantations. I here send the Minutes of the Generall Councill and Assembly, mett at St. Kitts, your Lordships will see the privileges they insisted upon, if they be agreeable to the English Constitution, or not. I have had a hard game to play, my predecessours used to lett them do what they pleased, and found their account in it, for the Assembly in returne made them presents. I might

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have had presents too, if I had pleased to do the same things, for I was offer'd it. I must confess they acted more prudently, but I can't much commend their honesty, they betrayed their trust (for gaine) by giving away the prerogative, and conniving at a clandestine trade, and were quiet in their Government though they hardly kept any one of their Instructions, and had not any sent from home to fish for complaints against them. I (on the contrary) have followed all my Instructions, have punctually obey'd all my orders, have maintained the prerogative, have prevented their clandestine trade with the French and Dutch Islands, and have considerably increased the Revennue of the Crowne, and now behold my reward. The malefactors have claymoured, I have never been paid my sallary for house-rent, they have raised vast summs (and I don't doubt but some merchants of Curaçoa and St. Thomass's have contributed) to gett me out, by bribery, and what protection I have had at home, and what incouragement the Assassines have had there in carryeing on their complaints, the world shall know, and I have and shall spend more to defend myselfe then I have gott by my post. I may add to this the loss of the use of my arme by assassination, and Col. William Thomas, and that virtuous parson Mr. Field, who by all circumstances were the contrivers of itt, and fledd into England, there had their affidavitts taken against me, and it is given out, 'tis upon their affidavitts the order was made for calling me home, to answer to their false articles, as if a voyage of three thousand odd hundred miles were a trifle. I have once more called an Assembly for Antigua. I shall lay your Lordshipps' letter (about the negative voice) before them, I wish it had come some months ago; but I am of opinion, if they are pleased to allow the Queen that, they will start some other priviledge that I must not allow them, but however as I have all along done my duty, so I shall to the last moment I am in my post, *etc.* I had long since settled these Islands in an honest method of Government, and hurt nobody, if I had had the protection at home I ought to have had till it had apeare I did not deserve it. I must do your Lordshipps the justice to owne, I have no reason to complaine of your justice in the matter of the complaint, though they impudently gave out at first they had secured two of the Board that had dined with Nivine at Robert Chester's in the Citty; I confess I did not believe it when it was reported, and much less since, when I found they opposed the hearing before your Lordshipps: that was the wisest thing they ever did, for had the complaint been heard before your Lordshipps, they knew your Board would not have grudged time to have inquired into the bottome, and after a faire heareing have made a just report, which would have been no service to them. My friends write me word the order is that they are to signe the articles before wittness, and take their affidavitts publicly and that I have liberty to interrogate them, if it be soe, I shall be satisfied, provided I have justice at last, *etc. etc.* Notwithstanding all this clamour, and the great paines that has been taken, and vast summs expended, to make me appear a villain,

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a tyrant and oppressour, you will find at the conclusion I have all along acted with zeale for her service, that sent me here, and with a due regard for the good of the people, and that I have taken no man's ox nor ass from him, and as for tyranny, that is impossible, for no man has been punished, and yet here has been as base murders and other crimes committed as ever was heard off, but their juries have allways acquitted them. One would think it were impossible that men should so openly and bare-facedly perjure themselves, but yet they do, had I had authority, many that have signed the articles, had long since been hanged, and justly too, Tankerd some time since waylay'd a man, (a poor midwife's husband) and shott him because the man had sent to him for a debt he owed him, the man died, and Tankerd was carryed to Barbados in the *Hector* man of warr, tho' I told Captain Clarke of the action, but I suppose he found his account in it. Codrington (that Machivall) that was the author and contriver of all this villanny against me, is now answering for it, and a Vollpony<sup>1</sup> will he made takes place so that the most of his estate goes to those he mortally hated, before he died he was in great perplexity before he died to alter his will and accordingly sent six times for one to do it, but those about him prevented the messengers going. He lived like a wretch and dyed unlamented, and had not the pleasure to heare of the order for my comeing home, and they say he broke his heart, not being able to get the better of me, for the news we had before was, that I had intirely gott the better, and the complaint layd aside, and we were going all to be friends, till a Bristoll man arrived at Nevis, brought the news of this order, then they fired their guns and drank my Lord Sunderland's health, etc., and the Generall Assembly, that was then sitting and going on upon bussiness, begann to renew their messages about their chimericall priviledges, etc. Had the news not come but for tenn days, I have reason to believe the Assembly had made some good laws, and repealed some very badd ones. I here send the Minutes of Councill of Antigua, to the 14 March last. *Signed*, Daniel Parke. *Endorsed*, Recd. 3rd, Read 7th July, 1710. 4 pp. [*C.O.* 152, 9. *No.* 24; and 153, 11. pp. 42-48.]

May 11.  
Antigua.

**229.** Same to same. I have by this packett reciev'd three letters from your Lordships, Nov. 29, Jan. 19 and 24. In the first your Lordships advise me to follow my Instructions, which is what I have allways punctually done, and what relates to the soldiers that I ought to lay before the Secretary of Warr. Your Lordships may remember by my Instructions I am to send from time to time to your Lordships what relates to my Government, but that I might noways be wanting in my duty, I have not only severall times sent to your Lordships, but also to Mr. Wallpole, Secretary of Warr, and to my Lord Sunderland the Secretary of State, to informe them of the miserable state of the Regiment, but those great men never did me the honour to answer any one of my letters; I also writt to Mr. How the Pay-

<sup>1</sup> Vollpony = Volpone. cf. Ben Jonson's play of that name. *Ed.*]

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master, so that the lives of a great number of the poor soldiers that have perished meerey for want of their pay and cloaths does not lye at my door, nor shall I think I have done my duty till I have brought Col. Jones to a Court Marshall to answer for his false musters, and not paying or cloathing his Regimt. It is impossible for me to perswade the Assembly to do anything when every shipp for this 18 months past brings them news I am to be removed. Your Lordships very mildly reprimands me for falling into the same error as that your Lordship(s) complained off, Nov. 25th, by admitting Mr. John Norwood into the Councill of Nevis, when it appeared on your bookes there was tenn besides the Lieut. Governour upon the Island. I thought I had suffitiently satisfied your Lordships in my answer to that complaint, that I was guilty of no error then nor am I now, but what I did was agreeable to my Instructions, for there was but Six Counsellours on Nevis when I order'd Mr. Norwood to be swore, nor did I do it till I had recieved severall letters from the Lieut. Governour that he could not meet a Councill for want of Counsellours, for there must be five besides himselfe to hold a Councill; I had the same reason for not recommending Mr. Norwood as I had for not recommending Col. William Byam, for at the time I sent your Lordships those lists, Mr. Norwood was not at Nevis, nor Col. William Byam at Antigua. After I sent those lists, Mr. Norwood was apointed Commissioner of the Customs for Nevis, and St. Kitts, and went and lived at Nevis, and it has allways been the custome to put in the Commissioner of the Customes into the Councill, and that was my reason and no other, for he is a stranger to me, nor shall it be any concerne to me whether he be confirmed or not. I have been so often affronted in matters of greater moment, this will be a trifle. Your Lordships sent me out an order to swære four more into the Councill, which made them up tenn, but the order never came to me till some months after Mr. Norwood had satt, as will apear by the Minutes of the Councill of Nevis. I returne your Lordships my most humble thanks for your promise in not putting in any those that have signed articles against me. I have recieved a letter from Sir C. Hedges in relation to what I writt to your Lordships about his Secretary. What I writt is true, nor did I write all the truth, for I never could to this day gett a copy of all the Laws to send to your Lordships, as I am obliged to by my Instructions, tho' I have demanded them from time to time, ever since I came, almost every time the Councill sitts, as his under-Clerk can justifie, and when the complaint went first home, I could not gett the Minutes of the Councill for 8 months together, and when I did gett them, I was forced to buy the paper, which cost me 30s., for he pretended he had no paper, nor would he buy any himselfe. In answer to your Lordships of Jan. 19, about clandestine trade, what is there mentioned is a trifle to what has been done. I have all along prevented that trade to the utmost of my power, and have in a great measure put a stopp to it, and in short this, and supporting the Queen's Prerogative is the greatest

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grievance. If your Lordships remember, about 18 months since I writ from St. Kitts, wherein I gave you an account of one La Mount that came there with a sloop laden with dry goods from Curaçoa. I immediately ordered two wayters on board, the next day the Assembly mett, and were in an uproare, and were going to article against me, and did draw up a parcell of stuff, which I answered and made them ashamed of their articles, so that they never sent them home. Mr. Perrie (who has been Codrington's chiefe Instrument in all these claymours) when he was first made a Commissioner of the Customs for Antigua was a little zealous, in preventing the clandestine trade, but they soon made it his intrest to be quiet, and has given them no disturbance ever since I came. But on the contrary has discouraged those that I have sent to seize prohibitted goods, but I understand he is put into a very good post, he is made Surveyor Generall of the Customes, but I don't doubt but sufficiently to expose both him and them that have advanced him. I am obliged to your Lordships for the concerne you express for my assassination, all the leading men of the party were privvy to it. I was shott at twice before, but I find instead of hurting their cause, it has done them a kindness, for as they give out, they have at last obtained an order for calling me home to answer their articles. If it be true, I hope I shall have damages given me in case they don't make out their articles. I shall only say now what I have all along, I desire strickt justice. However I am dealt withall, I will do mysele the justice to print a true account of my administration *etc.*, and then the world shall be judge, whether I have behaved mysele well or ill, for I vallue my reputation more then all the Govermts. the Queen has to give. I am glad your Lordships has at last given me your opinion of my insisting upon the Negative voice, when that dispute first begann, I showed them that paragraph of my Commission which your Lordships mention, but to no purpose, they said they were in possession of it, for Governours allways allowed it them, and I was look't upon as a tyrant, for offering to take away their priviledges. I have long wayted for your Lordships' orders about the rioters, and have so long deferr'd calling a Sessions for that reason. If there be an order for calling me home, as my friends write me word there is, I admire that your Lordships or my lord Sunderland has not sent it me. Whatever the order is, I shall religiously obey it, *etc.* *Signed and endorsed as preceding.* 5 pp. [C.O. 152, 9. No. 25; and 153, 11. pp. 49-55.]

May 11.  
Antigua.

**230.** Governor Parke to the Earl of Sunderland. I have not had the honour to recieve any letter from your Lordship since that dated Feb. 24, 1708. *Acknowledges* Seal. I have very often writt to your Lordship and Mr. Wallpoole about the deploreable condition of Col. Jones Regiment, that they were neither clothed, paid not recruited, nor the officers that are at home ordered to their posts; but I have never recieved any answer either from your Lordship or Mr. Wallpoole. The soldiers (in hopes of some reliefe) have at last petitioned me and

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the Councill so that I shall bring Coll. Jones to a Court Marshall for false musters, and not paying cloathing or recruiteing his Regiment, great part for want of which have perished, and are reduced to about one third of a regiment, and many of them want armes. Though Mr. Wallpoole never did me the favour to answer my letters, yet I find care was taken to supercede all the officers I put in, though I took that care to give the Commissions as became their due, for I allways made the eldest Lieutennant Captain, the eldest Ensigne Lieutennant, and the Ensignes I made out of the young Gentlemen that came over and carried armes in the Regiment for preferment. I had a nephew of my owne (who is no discreditt to the Regiment) yet before I gave him a Commission, I made him carry armes, and then made him no more then youngest Ensigne, in which post he has continued three yeare. I have not advanced him because I would do no injustice to the other Ensignes. One would think in four yeares (that I have had the command of these Islands) I should be able to prefer my own nephew higher then an Ensigne, but I must take it as a great favour he is that, for he is the only one that has not been superceded. I think the officers very hardly used as well as soldiers to have strangers put over their heads that never served, and some children. I was in hopes your Lordshipp would not have suffered such injustice to have been done the Regiment and my selfe to be so used when I had a warrant for what I did, not only by my Commission but by the perticular establishment of this Regiment signed by the Queen and Lord Treasurer. When first I had an account of the great number of Pallatines that were come into England, I writt to your Lordshipp that if I had a good number of them sent to St. Xphers, they would have been of great service to the Nation and to this Government, and there was good land enough there for them, but I had not the honour to recieve any answer to my letter, and since, I heare great numbers are sent to Carolina, where (submitting to your Lordships' better judgement) I thinke they will be of less service to England, then they would have been here. I am extreemly concern'd it has never been my good fortune to please your Lordshipp in any one thing I ever proposed. When the Union was on foot, I proposed the takeing of Martineque and settling it with the Scotch, for which your Lordshipp writt me an angry letter. I offered (with 2000 men) to take Porto Rico, which is a better Island (take it in all respects) then all these Islands, put them together with Barbados joyned to them, and I was morrally sure of success, but I have had Cassandra's fate never to be credited. Since the arriveall of this packett, there has been great rejoicing among those that have subscribed the Articles. Parson Field and Thomas has writt them word they had at last done my bussiness, they had an order for calling me home, they fired their gunns, and drank your Lordshipp's health, as their chieftest friend. I don't much wonder at their impudence, wretches that have no notion of honour, and will justifie assassination (as many of them have done) will do anything. Nivine (who is their Agent in England) has (at my table) justified the

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murder of the Arch-bishopp of Saint Andrews. Perrie (that was Codrington's chief Agent here, and Commissioner of the Customs), justified publickly King Charles' murder, and bid me take warning by him, upon which and their feasting on a calfe on Jan. 30th, my friend's called them the Calve's Head Clubb. This man is since made Surveyor Generall of the Customes, tho' ever since I came he has to the utmost of his power discouraged all seizures, and by his neglect lost a considerable summ due to the Queen from the late Collector. They give out he was preferr'd for quarrilling with me; had his quarrill arose from my discourageing the Custome-house Officers in their doing their duty it would have been just he should have been preferred, but the case is reverse. 'Tis true when he first had his Commission he was zealous in doing his duty, which was before I came, and the people were ready to stone him for it, but they soon made it his intrest to be quiet, and for this four year past he has been as deaf dumb and blind as they could wish; as to his personall virtues, since I came another man's wife, one Kate Atkinson, a notorious woman, has lived with him, and he has a mulatto bastard by one of Col. Long's negroe women. The only good thing I know in him is, as he professes himselfe a Presbyterian, and an enemy to the Episcopall Church and Monarchy, he never plays the hypocrite so farr as to recieve the Sacrament in the Church, this is his greatest merritt. I shall not trouble your Lordshipp more about him, till I publickly accuse him, which I will do as soon as I gett home. I admire your Lordshipp did not send me by this packett this order they so rejoyce at, when I recieve it, I shall religiously obey it; if it be in order to be truly informed of my actions, I shall have reason to rejoice provided I have justice done me at last, though I have the fateague of a 3000 mile's voyage, if not I shall take care the world at least shall know the truth. *Signed*, Daniel Parke. 5 pp. [C.O. 152, 42. No. 18.]

May 11.  
St. James's.

**231.** Order of Queen in Council. Referring following to the Council of Trade and Plantations, and to H.M. Attorney and Solicitor General for their report. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 14th. Read 15th Sept., 1710. 1 p. *Enclosed*,

231. i. Petition of Wait Winthrop, Elisha Hutchinson, John Leveret, and William Tayler, in behalf of themselves and the rest of the Associated Proprietors of that part of the Narraganset Country called the Mortgage Lands, to the Queen. *Recount* their concession and the commission appointed to enquire into it by Charles II., who reported in favour of Petitioners. "Since which all persons that pleased have settled themselves upon parts and places of those lands as seemed them best, and shelter themselves under the Government of Rhode Island, who pretend to protect them therein to the great prejudice and damage of your petitioners and their associates, who would settle towns and make great improvement upon the same, being generally good land

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and very capable thereof." *Pray* H.M. confirmation of the said lands pursuant to the report of the aforesaid Commrs. *Copy.* 2½ pp. [*C.O.* 5, 865. *Nos.* 49, 49 i.; and 5, 913. pp. 253-257.]

May 12.  
Plymouth.

**232.** Col. Nicholson to [?Mr. Pringle.] *Acknowledges* letter of 4th, with H.M. Instructions relating to ye plunder. My lord Sunderland's letter to me and Coll. Schuyler I read to the Indians on board ye *Royall Sovereigne* in presence of Admirall Ellmore. I was in hopes to have receed. H.M. commands concerning the men of warr with us and those gon to Newfoundland our assisting one another. But I hope that affair will be adjusted and sent after us. Inclosed is a copy of a paper wch. my Lord Dursley was pleased to give me. But I suppose that the men of warr and severall of ye merchant ships are bound to Newfoundland, Port Royall and Canada. I am heartily sorry yt. I have receed. no orders about ye Chappell house and Indian fort for ye conveniency and securing ye two Missionarys because ye Indians do depend upon these things being gon about as soon as they arrive there, and that ye two Ministers be sent to them with all possible speed. I desire that you'l be pleased to communicate these affairs to my Lord Sunderland. *etc.* *Signed,* Fr. Nicholson. 1½ pp. *Enclosed,*

232. i. [?Paper referred to in preceding as communicated by Lord Dursley] Rochell. April 22, 1710. Monsr. Du Clair's squadron is ready to sayle with ye first fair wind and consists of five of the [French] King's ships (*enumerated*). It is said these ships are bound for Brazill to possess themselves of an island or some other place where there are gold mines, they are victualled for 7 or 8 months, *etc.* It's certaine nobody but Monsir Du Clair himselfe knows where he is to goe. There are here a great many merchant ships that will saile with him, three or four that carys from 18 to 24 guns and men pr<sup>o</sup>portionably are bound to St. Domingno, one of 26 guns is bound to Guinia, and is to cruize for two months being man'd with 110 men. There are likewise some ships from Nantz and Bordeaux that are come to joine with them, and they will make up a fleet of about 80 ships. They have been frightened with an English squadron said to be at sea, but it is not known whither that will hinder them from putting to sea. *Details of other French ships arming at Rochfort and Dunkirk.* *Copy.* 1¾ pp. [*C.O.* 5, 9. *Nos.* 52, 53.]

May 12:

**233.** Mr. Solicitor General to the Council of Trade and Plantations. *Reply to March 22.* Having heard Mr. Baber on behalf of himself, of Mr. Compier, the Receivour General of Jamaica, and of Mr. Winter, Clerk or Register of the Court of Chancery there, against the Act for *regulating fees*, and Col. Lloyd and Mr. Aylmer, one of the members of the Assembly, for it, and having compared this Act with that of 1684, I most

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humbly certifie that in my humble opinion the officers have no reason to complain, for this Act is more for their fair profit and advantage than the former ; But the clauses which oblige lawyers to take retaining fees under a penaltie, and restrain Plaintiffs from retaining more Council than one, till 10 days after a declaration be deliver'd to, or a subpoena in the cause serv'd on the defendant, and the clause which requires certain qualifications in writing clerks, seem to me to be very unreasonable, and there is nothing in the law or practice of England, which favours any such regulation. I have no objection to any other part of the Act, but think it reasonable and for the good of the Island. *Signed, R. Eyre. Endorsed, Recd. 13th, Read June 15, 1710. 2 pp. Enclosed,*

233. i. W. Popple to Mr. Solicitor General, March 22, 1710. *Duplicate. [C.O. 137, 8. Nos. 7, 7 i.; and (without enclosure) 138, 13. pp. 134-137.]*

May 12.

**234.** Mr. Solicitor General to the Council of Trade and Plantations. *Reply to April 24 q.v.* I have consider'd of the Charter of the Massachusetts Bay, and humbly conceive that the words "private persons" must be construed to mean "particular persons," and not bodies politick, touns, villages, colleges, or schools ; but 'tis my humble opinion that the Crown has no more power to cut timber upon the lands granted to bodies politick, etc., under the two former Charters, than upon the lands granted to private persons, for when the inheritance of lands was granted or disposed of by virtue of former Charters, in which the trees growing upon the lands within this province or territory were not reserv'd to the Crown, the trees pass'd as part of the inheritance, and an exception or reservation in a subsequent Charter can't deprive the Proprietors of their interest in those trees which was well vested in them before. The clause (*referred to*) therefore can be of no consequence in regard to any trees growing upon lands granted by vertue of any former Charter, but will have its intended effect upon all grants pass'd under this. *Signed, R. Eyre. Endorsed, Recd. 13th, Read 15th June, 1710. 1½ pp. Enclosed,*

234. i. Duplicate of No. 205. [*C.O. 5, 865. Nos. 46, 46 i.; and 5, 913. pp. 244-247.*]

May 13.  
Barbados.

**235.** Wm. Sharpe, Alexander Walker, and Saml. Beresford to the Council of Trade and Plantations. You will permit us the honour of laying a true and full state of our complaints against Mr. Crowe, with all the proofs for maintaining our Representation delivered to himself, Sept. 1, 1708, which we were so happy to have H.M. approbation thereof. Your Lordships will please to observe Mr. Crowe's disobedience to H.M. repeated orders through the whole course of his Government, as well as in this affair, and our punctual observation on them, for he not only disobeyed H.M. Order of restoring us to the Council, but also rejected the methods which H.M. had prescribed for an

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impartial examination into our complaints, which disobedience H.M. was pleased to resent (*cf.* Jan. 22, Feb. 19, July 2, 1709), and to order him at his peril to restore us to Her Council, etc., which Order we delivered to Mr. Crowe, Sept. 22 last, and press'd him in Council, Sept. 29th, to enter H.M. Order in the Council Books, and to give the necessary directions thereon, but he then refused to do either, upon which we petitioned him Oct. 11, of which he took not the least notice, till the 27th when a vessel arrived, and brought an account that H.M. had been pleased to recall him from his Governmt., and to appoint another method for transmitting our papers. Then indeed Mr. Crowe on the 28th issued his Orders to Mr. Beekles pursuant to our foresaid petition, since which time we have been using our utmost endeavours to get these papers finished. But having many persons to deal with, together with their great distance from the place of the Judge's residence, the searching several offices for certificates and other Records, our often attendance on publick affairs, but chiefly the apprehensions people form'd to themselves from the Governour's, and his Party's arbitrary tempers, prevented us from laying these papers before Mr. Crowe till the 4th instant, when we delivered them to him in Council, and prayed that he would give us copys of the depositions, proofs and other papers he had sent home against us ; but, according to his usual manner, he refused the same, and ordered us to attend him at Pilgrims for the seals, which we did. Your Lordships will please to observe that Mr. Grace, Clerk of the Assembly, was only summon'd to appear before ye Govr. to prove the Minutes, which he had attested ; but by a management of H.E. and his creature Mr. Downes, Mr. Grace was sent out of the way the preceding night, notwithstanding which contrivance, immediatly after the testimonials had been writ and the seals affixed thereto, Mr. Grace came, who not being apprised of the Governor's design, seem'd to resent the usage very much, saying the Governor knew very well where he had been, and upon what occasion, and offered to be sworn to the Minutes. And though Mr. Sharpe and Mr. Walker (Mr. Beresford being absent thro' indisposition) several times earnestly prest the Governour, that Mr. Grace might be sworne to the Minutes of the Assembly, yet he refused the same, saying with a great deal of warmth, that he had something else to doe, than attend us. *Refer to Minutes, their Representation and the Report of the Board of Trade in detail.* Since the delivery of our letter and papers on the 4th inst. to Mr. Crowe, he takes all possible measures to discountenance those who have either the honour or resolution to obey H.M. orders, an instance whereof will appear from the deposition of Mr. James Brown, whom he ordered to be summoned to take the oaths on pretence of his being a Jesuit. This looks the more arbitrary on this occasion, when there's not the least grounds for the same : and that Mr. Crowe keeps one Domingo Vaus, a profess'd Roman Catholick, as his darling servant. 'Tis not strange to see Mr. Crowe go on in a continued course of disobedience, when he has the mobb and militia of a country, so much at his beck that he

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can prevail on them to sign an Address in his favour in contempt of your Lordships' report, H.M. gracious approbation thereof, and Royal Order for his return to answer our reports. We hope your Lordships will lay before H.M. the dangerous consequence of drawing such a crowd of poor, illiterate, ignorant servants, and other people together into arms, as was done on the 6th inst., where their Commanders brought Addresses ready drawn to the heads of their several Companys, the truth whereof such miserable poor souls cou'd never know, however apprehensive of their officer's power, they signed the same. The same people so influenced by a like authority might be brought to sign any Address whatsoever, *etc. Appeal to the Board's protection. Signed, Wm. Sharpe, Alexander Walker, Saml. Beresford. [C.O. 29, 12. pp. 232-244.]*

May 13. **236.** P. Vanderheyder Réze to the Dutch West India  
(N.S.) Company. *With 19 enclosures. Signed as above. Endorsed,*  
Rio Essequibo, Read, Aug. 21, 1710. *Dutch. 4½ pp. [C.O. 116, 21. Nos.*  
Fort 3, 3 i.-xix.]  
Kykoverall.

May 15. **237.** Col. Vetch to [*? the Earl of Sunderland*]. I cannott  
Boston. but still judge it my duty by every opportunity that offers to  
let your Lordship know the state of these Governments to which  
I had the honour to bring H.M. royall commands ; which were  
then loked upon by them as the best news ever came to the  
Brittish Continent, but the non-arivall of the promised fleet  
and troops is like to prove the reverse of the same, not only  
by reason of the vast expense it ocasioned, which all proved to  
no purpose, but by giving the French the alarum, they are now  
not only better secured against any attempts can be made upon  
them, but more frequent in their attempts against thiss country  
particularly by sea, in so much that within these five days last  
past they have taken nine vessels in thiss bay within fifteen  
leagues of thiss town, which it is almost impossible to prevent  
while the French possess Port-royal ; for att the same time  
besides the man of warr that attends thiss station the country  
maintain a good sixt rate galey and a sloop with 70 hands :  
only to guard thiss bay. The season being so farr advaneed,  
without my having the least orders, relating to the Expeditions  
being renewed, mightily discourages all the people who had so  
readily complied with H.M. orders last year, and were in hopes  
of having the enterprize renewed thiss spring. If peace should  
putt a period to the design I should be glad to receive your  
Lordship's commands, how to dispose of the provisions and  
other preparations I have made here conform to H.M. orders ;  
which I doubt not will be wanted, towards the reduction of some  
parts of New Spain ; towards which I should be very ready to  
contribute my mite of advice and assistance having bein formerly  
uppon that coast : but if H.M. shall not think fitt to prosecute  
any of these two projects : I hope your Lordship will please to  
countenance me with your recommendation to H.M. for some of

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the vacant Governments in America, in any of which I doubt not to approve myself deserving of the same. P.S. Give me leave to beg your Lordship's favour and justice to me with H.M., and my Lord Treasurer, that since I am here obliged hitherto to maintain the rank and character of a generall officer, my pay and allowance may be accordingly, *etc.* Signed, Sam. Vetch. *Holograph.* 1 p. [C.O. 5, 9. No. 54.]

May 15.  
Whitchall.

**238.** Mr. Popple to Mr. Carkesse. *Enquires* what difference there is in the duty on prize goods and in those imported as merchandize, *etc.* cf. May 6. [C.O. 138, 13. p. 128.]

May 16.  
Whitchall.

**239.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose* Address from Jamaica concerning duties on prize goods (v. March 25.) By the second clause of the Act for the encouragement of the trade to America it is enacted "that the officers and seamen of every vessell of war shall have the sole interest and property in every ship, vessell, good and merchandize they shall take in any part of America, (being first adjudged lawfull prize in any of H.M. Courts of Admiralty, and subject to the Customs and duties payable to H.M. as if the same had been first imported to any part of Great Britain and from thence exported for and in respect of all such goods and merchandize) to be divided in such manner as H.M., her heirs and successors shall think fit to order and direct." The next clause lays the same duties upon prizes taken by privateers, which duties are the same as would remain in this Kingdom had the goods been imported here, and re-exported with an allowance of the drawback. The Collector of Jamaica, pursuant to Instructions from the Commissioners of H.M. Customs here, has demanded the said duties upon such prizes as have been brought into that Island. These duties with those levied and appropriated to the support of that Government by an Act of that Island for raising an additional duty of import, *etc.*, do frequently exceed the value of the said prize goods as sold there, and where they do not exceed such value, yet what remains to the captors, after the deduction of the said duties is so small that the privateers always make losing voyages. Refer to enclosures i. ii. March 25, and observe upon the instances there given of cocoa, brandies and Spanish wines, that in the first case the papers [=Captors] lost £1912 11s. 3d., in the next they gained £151 11s. 3¾d., out of which is to be deducted the seamen's wages, and victualls; and in the last they gained but £13 18s. 3d. *Continue* :—These are the hardships complained of in the Address (March 25), which have occasioned the privateers and seamen to desert that Island to such a degree, that of 3000 registred seamen, who [? there] were not lately a sufficient number remaining to man two ships, when some French privateers appeared before the Island. Another ill consequence of this desertion of the seamen, is that about 900 of them are gone to the Sambala's on the coast of Carthagen. To prevent the damage our trade on that coast might suffer from those people, who in

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time may grow powerfull in those parts, the Governor of Jamaica by advice of the Council issued a Proclamation promising H.M. pardon to such as would return, which Proclamation having been dispersed among them, their answer was, that their crimes did not keep them from Jamaica, but the want of means to subsist there when they should return. And some of them who did come in upon that Proclamation are since returned to the Sambala's. We are inform'd by the Commissioners of H.M. Customs that the British duties upon Prize goods payable in any of our American Plantations are to be applied to the respective funds granted by the several Acts of Parliament passed here, so that we do not see how any relief can be given to the captors of prizes, in relation to those duties, but by authority of Parliament. As for the Island duties charged upon prize goods by an Act of Assembly lately passed there, we find that for several years before the passing of the said American Act, the like duties (or rather greater in some particulars) have been annually granted for the necessary support of that Government, therefore we cannot propose that those duties should be taken off, unless we were satisfied that the Island is in a condition to substitute others in lieu thereof. But in regard the security of that Island and the trade in those parts from any insults of the enemy is of very great consequence to the Trade of this Kingdome, we are humbly of opinion that if H.M. shall think fit a sufficient squadron of ships of war be employed in that service, it may answer the before-mentioned purposes till a further provision shall be made either by some law to be passed here or in Jamaica for their relief, against the present hardships and dangers they lye under, by so great a desertion of their privateers and seafaring men. [C.O. 138, 13. pp. 129-134; and 137, 51. No. 21.]

May 16.  
Plymouth.

**240.** Col. Nicholson to [?]. I returne you a thousand thanks for all your extraordinary civilitys and favours to me, and I shall endeavour to make the New Englanders sencible of ye extraordinary service you have don them in managing this affaire and what great trouble and pains you have took and therefore I hope in God they will not be ungratefull to you. *Encloses letter to Mr. Secretary Walpole. Refers to officers going with him, etc. Signed, Fr. Nicholson. 1 $\frac{3}{4}$  pp. Enclosed,*

240. i. List of the Officers sent by the Admiralty to H.M.S. *Dragon. Copy. 1 p. [C.O. 5, 9. Nos. 57, 58.]*

May 16.  
Plymouth.

**241.** Col. Nicholson to [?Mr. Secretary Pringle. v. May 22]. I wrote to you ye 12th instant. On ye 14th early in ye morning wee sailed, but ye wind coming contrary we returned that night. I send you a paper wch. I had from Capt. Cock. This account seems to confirme ye other which I sent you, and makes me believe that the French are gon for Newfoundland, Canada and Port Royall, so I hope that the order about H.M. men of warr gon to Newfoundland will be sent after us. *Refers to enclosures.* By the establishment we should have had 500 marines

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besides ye officers. But by ye muster-rolls there is no more then 397. Those on board H.M.S. *Draggon* and *Falmouth* our two convoys are parte of their ships companys. Capt. Riddle, of ye *Falmouth* told me his men are ill cloathed, and he had 40 at first. I hope that directions will be given that ye marines may be made up 500 compleat. The affair about ye Indian Chappell house and fort I hope is fully adjusted before this, and that the two ministers are appointed to goe thither for wth. submission I take this to be of ye last consequence towards keeping the Indians in H.M. interest. I begg the humblest of my duty to my Lord Sunderland, to whom I desire you would communicate these affairs. I am heartily sorry that ye wind is contrary, for the summer draws on apace and they will be very impatient in New England to have us there, to web. place pray God send us safe, because I hope it will be for H.M. interest and service, *etc.* Signed, Fr. Nicholson. *Enclosed,*

241. i. A particular of subsistance for the detachment of marines ordered upon the Expedition. Pay office, April 7, 1710. *Copy.* 1 p.

241. ii. List of Marines on board H.M.S. *Draggon* and *Falmouth.* *Copy.* 1 p.

241. iii. Capt. Cock, H.M.S. *Medway*, to Col. Nicholson. Ship *Medway*. The 8th day of May spoke with a Dutch dogger who had then been four days from Rochell and reported ye day before he sailed 5 men of warr ye biggest 64 guns ye least of 24 with about 40 saile of merchant ships and 1500 soldiers sailed out of that port and it was thought there they were bound to Brazill. *Copy.*  $\frac{3}{4}$  p.

241. iv. Muster-roll of officers and men of the regiments ordered for the Expedition. Total, 47 officers, 397 men. *Note subjoined by Col. Nicholson:*—Nigh halfe of these marines are new raised men. So 'tis to be feared that they will be sickly in their passage and probably some dye, and they can't in accon be relyed upon as men that have been in action. Signed, Fr. Nicholson. 1 p. [*C.O.* 5, 9. Nos. 55, 56, 59–61.]

[May 17.] **242.** Extracts of two letters June 19 and Nov. 29, 1709, from Alexander Skene, relating to Governor Crowe's refusal to obey H.M. Orders in restoring him to the full exercise of his office. *cf.* March 30 *supra.* Signed, Row. Tryon. *Endorsed,* Recd. Read May 17, 1710.  $1\frac{1}{2}$  pp. [*C.O.* 28, 13. No. 25.]

May 17. **243.** Council of Trade and Plantations to Lt. Governor Whitehall. Spotswood. H.M.S. *Tryton's Prize* is ordered to Virginia, *etc.* *cf.* April 26. [*C.O.* 5, 1363. p. 182.]

May 17. **244.** Council of Trade and Plantations to the Earl of Whitehall. Sunderland. *Refer to* letter of the Merchants of Bristol relating to the securing of Newfoundland in the Treaty of Peace. Upon

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which we observe, in addition to our Representation of June 2, that before the Island of Newfoundland, over against and 20 leagues distance from Cape Raze lies the Great Bank, in length about 120 leagues and in breadth 25, about which are several small Islands. On this Bank, and round these Islands, the French employ some hundreds of fishing ships yearly, each whereof make two, some three voyages a year, whereas H.M. subjects cannot fish upon the Island of Newfoundland above 3 months in a year. This is a great addition to the French Naval strength, by the increase of seamen; and a great diminution of our trade. Your Lordship will please to lay this before H.M. for her pleasure therein. [C.O. 195, 5. pp. 144, 145.]

May 19.  
Antigua.

**245.** Richard Oglethorp to [?the Earl of Sunderland]. I formerly roate to Sir C. Hedges and Judge Bramson, Esq., given them a smale relation of some piratts and trayders with them, therefore take leave to acquaint your Lordship with itt and Henry Boyle, Esq., etc. *Repeats C.S.P. 1706. No. 53. q.v., with following variations, additions.* Peter Smith at St. Thomas does supply the French att Martinecoë all this warr, which as been ye gratest occation of ye French privettiers taken soe many of our vessell of from Barbados and these Leward Island. They dayly carry news and stores to ye enemy and where our men of warr are, and what fleets are in these parts. Capt. Rogers did bring ye King's son of Nuttall by name Jack Nuttall, and left in his rome three white men, and they have been there this twelve year, and a considerable rich quantitie of Est Indian goods with them, and ye King will not lett them come away tell ye said Jack Nuttall his sent back, the said Jack is att St. Domingoe amongst ye French, they tooke him in there, and made him a slave, and I have been in a flagg of Truce to Martinecoë for him butt cannot gett him as yett, if itt was peceable times, he might be soon gott for money. Nuttall his beyond Malagascer, and are a free pepol, and a great place for teeth to trayd for. [Leonard traded with Capt. Kidd], knowing that there was a man of warr there to sea for him not long before and lett the boate goe of without secureing her, and all the countrey being then in armes there, etc., etc. *Signed, Rich. Oglethorp. Addressed "The Rt. Hon. the Secretary of State." Endorsed, Recd. 12th, Read 25th Aug., 1710. 3 pp. [C.O. 152, 42. No. 32.]*

May 22.  
On board  
H.M.S.  
Draggon, 100  
leagues of ye  
Land's End.

**246.** Genll. Nicholson to Mr. Secy. Pringle. I hope effectuall orders are given concerning what I presumed to write to you (May 16), they being of very great consequence to H.M. Service, and I hope my Lord Sunderland will think so too, etc. P.S. This is designed by H.M.S. *Colchester*, who came out with us as likewise ye *Essex* and *Lichfield*. *Signed, Fr. Nicholson. 1 p. [C.O. 5, 9. No. 62.]*

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May 24.  
Whitehall.

**247.** Mr. Popple to Lt. Governor Spotswood. Encloses list of fees to be taken by officers of the Admiralty in Virginia, upon condemnation of a Prize there, which should have been delivered with his Instructions. [*C.O.* 5, 1363. *p.* 183.]

May 25.

**248.** Deposition of Joseph Blake, one of the Proprietors of Tobago, and late Secretary to the Undertakers for settling the same. The book now produced by Edward Couley, wherein is entred the names and places of abode of diverse persons who were to go over in the first expedition in order to begin a settlement on the said Island, of which he was chosen Governour, is the hand-writing of William Jacobs, Deponent's late Clerk, etc., and has had no additions or alterations since, *etc.* *Signed*, Jos. Blake. *Endorsed*, Recd. Read May 25, 1710.  $\frac{1}{2}$  *p.* [*C.O.* 28, 13. *No.* 27.]

May 26.

**249.** Mr. Campbell to the Council of Trade and Plantations. Memorial relating to his petition. *Signed*, Ja. Campbell. *Endorsed*, Recd. Read May 26, 1710. 17 *pp.* [*C.O.* 194, 4. *No.* 135.]

[May 26.]

**250.** Merchants of Bydeford trading to Newfoundland, to the Council of Trade and Plantations. Not doubting but the late glorious successes of his Grace the Duke of Marleborough will oblige the French King to sue in earnest for a peace, and the principle advantage expected by Great Britain being the entire restoring the Colony of Newfoundland, *pray* that the French King may be obliged entirely to restore the whole countrey and islands, and his subjects totally debarred from all manner of trade thereunto, *etc.* *Signed*, John Clifton, Mayor, and 55 others. *Endorsed*, Recd. Read May 26, 1710. 1 *p.* *Enclosed*,

250. i. Considerations on the Trade to Newfoundland. The trade in the reign of James I was in a very flourishing condition, and then intirely, without a rival, possessed and enjoyed by the English. *Quote* Letters Patent Charles I. Feb. 10, 1634. About this time the French first began to fish at Newfoundland, and obtain'd liberty from Charles I for so doing, and as an acknowledgment of our right agreed to pay 5 p.c. from all ships coming thither. Their allotment for curing fish was to the westward of Cape Raze. At this time the French had very few ships. Charles II. (1675) confirmed the aforesaid liberty, and quitted to them the former tribute of 5 p.c. King James II. confirmed to them the grants aforesaid; from which may be observed that the French were sensible of the weakness of their title, and therefore thought it was absolutely necessary to have it confirm'd by every King of England successively, and by this Trade had so far encreas'd their riches and naval power as to make all Europe stand in fear of them. King William III, being sensible

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of the vast importance of this Trade, did never confirm these grants to the French, but that his subjects might understand, that his Predecessors could not justly dispose of this Trade, gave his Royal Assent to an Act to resume it (10th and 11th W. III.). *Quoted.* So that the English having had the entire possession of, and Trade to, all Newfoundland *etc.*, until the 10th of King Charles I, consequently have the same right and title to it now. The whole encrease of the naval greatness of France had its foundation from this Trade; for the nature of it is such, that about  $\frac{1}{4}$  of the men employed are Green Men, that were never before at sea; and the climate being very healthy, scarce one man in fifty dies in a voyage, whereas in voyages to the East and West Indies, few Green Men are made use of, and it is too well known what great numbers are swept away in those unhealthy countries, *etc.* Besides, the French by their extraordinary frugality joined with their other great advantages, as the cheapness of salt, and having the best and most convenient part of the country for fishing, *etc.*, have quite eaten the English out of this Trade; as may be instanced in many of the Out-ports of our Nation, and particularly Barnstable and Bideford, who formerly employed in this trade about 50 ships, which enabled them to supply King William for some years in the beginning of his reign with 3 or 400 volunteer sailors, and now they do not fit out of late above 6 or 8 small ships, and find it very difficult to man these few; and believe the same scarcity of sailors is in all other Ports; to the great discouragement of Navigation, decrease of the Queen's Customs, the lessening the value of lands, and the strength of the Kingdom. *Repeat advantages of French trade*, being ice-free, and having cheaper salt and craft. From which we may infer, that they must reap all the profit thereof; and the English, with the silk-worm, will only spin out their own bowels, and then be forced to give over; the consequences whereof may well be dreaded. But our great satisfaction and hope is, that our most Gracious Queen will insist upon her Right, and that no Peace may be concluded, unless the French King will restore all Newfoundland and the Islands which belong to it, *etc.* *Printed.* 2 $\frac{1}{2}$  pp. [C.O. 194, 4. Nos. 136, 136 i.]

- May [—]. Barbados. **251.** Governor Crowe to the Council of Trade and Plantations. Encloses following. *Signed*, M. Crowe. *Endorsed*, Recd. 13th, Read 26th Oct., 1710. 1 p. *Enclosed*,  
 251. i. Capt. Hamilton's receipt for the old Seal, to be delivered to the Council of Trade on arrival of H.M.S. *Greenwich*, *etc.* May 8, 1710. *Signed*, A. Hamilton. 1 p. [C.O. 28, 13. Nos. 46, 46 i.]

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June 1.  
Whitehall.

**252.** Council of Trade and Plantations to the Earl of Sunderland. Since our letter of May 17, we have received a Memorial from the merchants of Bydeford, (No. 250). We refer your Lordship to Representation of June 2 last, and shall now only observe that from the first discovery of Newfoundland till about ye 9th year of King James I., the English were the sole possessors of that Island, and of the Fishery in those parts, at which time the French first began to fish at Newfoundland, and in the reign of King Charles I., they were allowed to fish to the westward of Cape Raze, paying 5 p.c. for all their ships going thither. King Charles II. confirmed to them the foresaid liberty of fishing free and discharged of the said payment of 5 p.c., as did likewise his successor King James II., which several confirmations so accepted of are an evidence that the French had no other right to that Fishery than what they derived from the Crown of England. King William did not confirm those grants, but on the contrary in the 10th and 11th of his reign an Act was passed, Chap. 25th for resuming that Fishery, and for reinstating the subjects of this Kingdom in the sole enjoyment thereof. 'Tis to this Fishery that the great encrease of their shipping and numbers of seamen are owing. And another advantage they have by that trade is, that of late years 4 or 500 sail of ships have been employed therein, which is a much greater number than what has been employed by H.M. subjects. The French have the best and most convenient part of the Country for fishing; for their harbours lying to the southward are seldom annoy'd with the ice, whereas ours being more northerly, rarely are clear of it, till the beginning of May, and in their harbours there is a much greater plenty of fish, and more early in the season than in ours, whereby the French are frequently enabled to supply the markets in the Straights before our ships can sail from Newfoundland. By all which it may appear of what advantage it will be to the Fishery and Trade of this Kingdom, if upon a Treaty of Peace the entire possession of Newfoundland and the right of Fishery in those parts be delivered up to the Crown of Great Britain. [C.O. 195, 5. pp. 146-148.]

June 4.  
St. Jago de la  
Vega in  
Jamaica.

**253.** Governor Handasyd to the Council of Trade and Plantations. *Acknowledges* letters etc. of Nov. 25 and Jan. 19, 170<sup>9</sup><sub>14</sub>. As to what your Lordship says in relation to Capt. Gardner's answer about the recruits, I thank your Lordps. for your care, as well in regard of me, as of my Regiment: I must say, I have received 78 or 79 recruits by the two last packetts, but most of them being the saddest mortalls that ever was sent out of the Kingdom, being of all nations and languages, and of as many religions. I am sorry to say that I thinke H.M. service, as well as my honour and reputation will very much suffer in case any attempt from the enemy be made on this side, by the sadness of such mortalls. I know no other reamedy on my part but patience: which I do assure your Lordships I have had opportunity enough of tryall, since I have been concern'd

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as Governor of Jamaica. I pray God send me and H.M. Regiment under my command with honour out of it. And I heartly wish some ingenious brave man had the Government with all my heart. As to what your Lordships is pleas'd to say about my disbursements upon the account of private intilligence, what I did in that case, I gave an accot. from time to time of it; and if I had not done what I did, it had been imposible for me to have preserved the Island from the misfortunes of the enemy's invasions: as I now do experience, since I can have no farther intilligence, and as to the rebursement, I never expect a farthing of it, without your Lordships' assistance. As to what your Lordships says in relation to the decay of the Spanish trade, I gave an accot. some time agoe, that the reason of it was by the French carrying all comoditys to the South Seas, and selling them there, as cheap as wee can sell them here; which discourages the Spaniards from buying in these parts, and so are ready to sterve, as well as our other merchants here. As to the Flags of Truce, there has never been admitted to come into this harbor but two Spanyards, the one from St. Auga upon Cuba, and the other from Porta Prince. And one French man from Pettaquavous, which I wou'd not suffer any to converse with him, but order'd a Captain of a man of warr, and my owne son to stay constantly by him, that nobody did converse with him, or he with them: and so soon as wee had put wood and watter on board of him, he was order'd imediatly to sayle under convoy of a man of war, who had orders to see him to his owne port. As to the Spanyards, I treated them with a great deal more civility, and gave them leave to buy such things of our merchants as the law admitted, provided they were put on board English vessells to be carryed to the Spannish coast. As to the ambergreasse, I did all that lay in my power to support H.M. intrest, and put myself to between £47 and £48 expence; but shall sett that on the backside of my booke, as well as severall other actions, that I have caused to be brought against other persons for clandestine trade, but never found that any of them has had any effect, notwithstanding all the expences and paines I have been at. the Jureys has always been pleas'd to bring in their virdicts ignoramus, or to that effect, except one sloop seized upon by Commadore Carr, and here condemned in the Admiralty Court, but since repeild in England. As to the Counscelers here, I think that they are no sooner put into the Councill, but they are troubled with one distemper or other, which they pretend makes them incapable of doing their duty, so that I am the hardest putt to it to gett a Councill when there is a necessity for it. As to the Pyrats I gave you an accot. of before, I think most of them are either perished for want of support, or disperced elsewhere, there is not now above 200 that I can hear of upon the Spanish coast, and there is 37 of them come in hear (power sorry fellows) upon the proclamation. As to the escheats, I think it a very great discouragement to any person for ye future, for the discovering of them, by putting themselves to so much expence as they do,

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being 3 quarters of a year before they can regularly go through the Courts ; besides the vast charge they are at to bring up their wittnesses to every Grand Court. I dar say that the  $\frac{1}{4}$ th part of the land of this Island has had no heires for this 30 or 40 years past, nor pays no quitt-rent, notwithstanding the hardships the Treasurey lyes under, not being able to defrey one half of the yearly expences for the payment of the Governor, and other sallerys which are allowed on. As to the disputes between the Collector, Captors and private saylors belonging to the privateers, *etc.*, your Lordships must have an Address from the Councell, Assembly and your humble servant before this time, by which accot. your Lordships will be informed the hardships this power Island lyes under. As to the proposalls of the 1000 Palitimates, in case they are sent over upon these proposalls, I beg leave to give your Lordships my oppinion what the faite will be, the nature of the planters in this part of the world are very ready in great promisses, but very backward in any performances. I remember that I have lost of my recruits since I came into this Island above 50 that have starved for want of lodging *etc.*, and was not in my power or the officers to releive them, any other way than in money. Notwithstanding very few was taken into their houses, untill there was a law made by the Assembly which obliged them therein. In case every planter that has 50 negros [*were obliged?* Ed.] to take a woman and one child into their plantations, to those that have 100 negroes to take four, and so on, to those that have 4 or 500 in greater or lesser proportions for six months, and to furnish them with provisions and necessarys such as the plantation affoards, untill their husbands could clear ground, and build little houses to live in, and to plant corne and roots for their support, after which time their Familys may be united together in such parts, with such allowances of land as H.M. should thinke fitt to assigne them, now unpossessed, but in case it's left to the discretion of the planter what allowance of provisions he will give each of them, or whether he will give it them gratis, or bring them in as servants, I dread the consequence, but shall leave the further management thereof to your Lordships. As to the accot. you have sent me of the illegall trade, I do not know what to do in it, since I have no wittnesses to make it appear ; it will be only putting myself to more needless expences. There being 2 or 3 Gallons at Carthagenia, in number in all 9 shippes, 7 being Spaniards, and 2 French, by the last accots. I had, they are making all the preparations they can to go for Europe. Our Commadore, Capt. Spann, is out with 4 men of warr ; but what success he may have, God knows ; he has about 150 of my Regiment on board the 4 shippes. There has been taken and brought in here 2 small French sloops laden with hides, tallow *etc.*, and also 2 French privateers, and have also retaken two of our Suggest Drovers, whose business it is to fetch and carry things to and from the Island. Wee are severely pliqued with the enemy's small privateers, when ours meats with them, they commonly dust their dublitts. Ours has

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also brought in a large Spanish ship, about 250 tunns, which they say is loaden with Canary, Spanish brandy, vinager, olives, sweet meats, razions, and some dry goods; the value of which I do not know; but it's beleiv'd will prove a considerable prize. They had in passengers and men belonging to the ship 157 men, and the privateer that tooke her had no more than 65 men on board. Our Fleet it's beleived will sayle the 14th or 15th with Capt. Harris, Commander of the *Kingston*, Capt. Man, Commander of the *Portsmouth*, with 10 or 12 merchant men under their convoy; which I pray God send safe to great Brittain, *etc.* Signed, Tho. Handasyd. *Endorsed*, Recd. 14th, Read 19th July, 1710. 3 large pp. [C.O. 137, 9. No. 13; and 138, 13. pp. 157-165.]

June 4.  
St. Jago de la  
Vega in  
Jamaica.

**254.** Governor Handasyd to the Earl of Sunderland. *Acknowledges* letters of Feb. 8 and 11. As to Capt. Fisher Wansworth's effects, he left the care of his affaires to 3 gentlemen, who has proved his will *etc.*, and am of the oppinion that they are very honest men, *etc.* I have recd. yr. Lordship's orders for hiring of saylers for manning home the *Kingston* and *Canterbury*. As to the *Kingston* she is already mann'd, and I beleive with little expence to H.M., what with passengers and English saylors, and some French prisoners of war, *etc.* As to the *Canterbury*, I am informed she will require more to put her in a condition to sayle home, than she is worth; but shall be able to give your Lordships a better accot. when Commador Spann comes in, *etc.* As to the decay of the Spanish trade, the reason thereof is, by the French carrying all commoditys to the South Seas, and selling them there as cheap as wee can sell them here, which discourages the Spaniards from buying in these parts, and so are ready to sterve, as well as our merchants here. *Repeats parts of preceding.* Signed, Tho. Handasyd. 3 pp. [C.O. 137, 51. No. 22.]

[ ? ]

**255.** *Same to Same.* Acknowledges letter of Oct. 7, 1709, in the behalf of Mr. Robt. Hay. *Compliments etc.* Signed, Tho. Handasyd. No date. 1 p. [C.O. 137, 51. No. 23.]

June 5.  
London.  
Ye Rainbow  
Coffee-house,  
Ludgate Hill.

**256.** John Phillips to [the Earl of Stamford.] *Proposes* to inform him of certain "indirect practices that are acted by a person employed in H.M. service in the Plantations," *etc.*, "and expect you will give me satisfaction for my trouble," *etc.* Signed, Jon. Phillips. *Endorsed*, Recd. June 6th, Read 19th July, 1710. 1 p. [C.O. 5, 865. No. 47; and 5, 913. p. 248.]

June 6 (N.S.)  
Rio Essequibo,  
Fort  
Kykoverall.

**257.** P. Vanderheyder Réze to the Dutch West India Company. *Signed as above.* *Endorsed*, Recd. Sept. 22 (N.S.), 1710. *Dutch.* 8 pp. [C.O. 116, 21. No. 2.]

June 7.  
Whitehall.

**258.** Mr. Popple to Mr. Burchett. Encloses extract from Col. Jenings' letter, March 10, relating to a sloop hired at New York. [C.O. 5, 1363. p. 188.]

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June 7.

**259.** Account of losses sustained by Mr. Campbell at the taking of St. Johns, May, 1705, and of property left in Newfoundland by his Agent Colin Campbell, *etc.* *Total*, £10,737 2s. 6d. Attested by Colin and Ja. Campbell. 3 pp. [*C.O.* 194, 4. No. 137.]

June 8.

Antigua.

**260.** Governor Parke to the Council of Trade and Plantations. Whilst I was rejoicing with my friends on May 29 in comemoration of the Royall Famally's and Monarchy's being restored, I had an order brought me by one Nivine for coming home to answer to complaints; I assure your Lordships this order as severe as it is did noways damp my mirth but added to it, for now I shall have an oportunity to expose their perjurers, and all their other villannys, and prove they assassinated first my reputation and then my person for no other reason but my zealously maintaineing the Queen's prerogative, and my indeavours to make them honest, and all the bribery, opression and tyranny I have been charged with, I shall not only clear myselfe off, but fix it on them; the people are told I can't punish them for whatever they shall say, swear or do, so that now they are secure, and may committ all sorts of villanny in relation to Generall Parke with impuneity. I must confess the order is so worded that it may admitt of such a construction, for no one is to be troubled for what they shall say or doe against me, either by the civill or military power, so that it seems to debarr me of the right of an Englishman. They have chose three magistrates to take their affidavitts, whose characters I shall sett forth when I arrive in England. They cite all sorts of people to appear before them, and then swear them to answer to all such questions as shall be asked them relateing to me and some of my intimate friends have been forced to discover on their oath all my private conversation and actions; I think this may be very properly called a Court of Inquissition, for my part I am glad of it, for in the conclusion it will be for my honour, and I heartily wish the jest were to go round, and that all that have the honour to serve H.M. were to pass through such a tryall; I have no other notice given me when the Court of Inquissition are pleased to sitt then by fixing a note on the Court House door, as if I were an outlaw, and all this glorious usage of the Chief Governour shall not provoke me to say an angry word, tho' all people that have any notion of honour or Government, are shock'd at it, yet I am not because at last this my cause is to be heard before the Queen, who I have no doubt will do me justice in the conclusion. My two chief enemies are dead, Codrington and Hodges, the Governor of Mountserratt, whome had he lived I would have suspended, for I found out his clandestine trade and his altering the records to gett a summ of money, 'tis thought my discovering his roguery broke his heart. I have not as yet put in anybody, at present the President of the Councill acts as Lieutenant Governour, and I begg your Lordships that no one be made Lieutenant Governour till I have the honour to lay it before the Queen and Councill.

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For tho' it is of small sallary, and taken but little notice of in England, yet 'tis of great consequence. I am surprized that neither your Lordshipps nor my Lord Sunderland should mention this order to me, for as yet I have had no notice of any such order, but from Mr. Perry (my Agent), and the complainants. *Signed*, Daniel Parke. *Endorsed*, Recd. 5th, Read 7th Sept., 1710. 3 pp. [*C.O.* 152, 9. No. 29; and 153, 11. pp. 61-64.]

June 8. **261.** Same to the Earl of Sunderland. Duplicate of pre-  
Antigua. ceding. [*C.O.* 152, 42. No. 24.]

June 9. **262.** Governor Handasyd to the Council of Trade and  
St. Jago de la Plantations. I have little to add since my last, a duplicate of  
Vega in which is here inclos'd, excepting a very barbrous murther which  
Jamaica. has happened upon a poor man, who was servant to one Mr. John Sutton, a planter here, who barberously caused him to be strangl'd, as he lay sleeping upon his bed, by six slaves; the reason appears to be, this poor man was sent for before the magesterats to be an evedence against his master, who it seems was guilty of perjury. His master lock him up all the day in the boyling house to secure him from the constopples, and at night order'd this barbarity to be done, and comitted, obligeing himself to give every negro 5s. in money, and a gallon of rumm. And tooke care to send all white pepole off the plantation, untill this barbarity was committed. Whether the Jury will bring him in guilty or not, I cannot tell. But I must say there is very few people put to death here for committing of murther or felony. In case he be convicted, as by the Coroner's inquest it appears to be imposible to avoide it. Then I beg your Lordshipps' favour in procureing me the preferance of the Escheat, since it's what has always been customary to the Governor. Since this 8 years I am concern'd in this Island, I have been at great expences not only for intillagence, but also upon publick days of rejoyceing about 3 times a year, which I never charged a farthing for, and also upon persueing H.M. intrest about the ambergresse and other matters that I have been at great expences upon. And in case this should happen, I should make no other pretentions to any disbursements that I have been at for H.M. intrest, or the Island's. I send 4 Acts past the last Sessions, and also the Minuts of the Counsell and Assembly. P.S. It will be the latter end of August before wee can know whether found guilty or not. *Signed*, Tho. Handasyd. *Endorsed*, Recd. 7th, Read 11th Sept., 1710. 2 pp. [*C.O.* 137, 9. No. 17; and 138, 13. pp. 286-289.]

June 10. **263.** Col. Jenings, President of the Council of Virginia,  
Virga. to the Council of Trade and Plantations. Pursuant to H.M. commands, I have appointed Col. Philip Ludwell and Mr. Nathaniel Harrison to be Commissioners on the part of this Colony, who will speedily have a meeting with the Commissioners of Carolina to settle the method of proceedings, but the season

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of the year will not permit them to go about surveying the bound till Sept. It is with much concern that I find myself obliged so frequently to inform your Lordships of the great damage done on this coast by privateers; it is now about seven weeks since they were first discover'd about the Capes, since which they have taken and plundered the *William and Mary* of London bound in hither, with Palatines, but the passengers on board being too numerous for them to keep, they lett the ship go; a few days thereafter, the ship *Lark* of Falmouth, Edward Poor, master, was taken, and the cargo of English goods, (which amounted to 6 or £700) taken out and the ship burnt. On the 29th May, one of the privateer sloops came and anchored in Linhaven Bay at night, and in the morning by break of day landed their men, plundered two or three houses, and carry'd off one of the inhabitants, with some negros, and next day fell in with the *James* of Plymouth of nine guns, which after two hours dispute, they took and sent to Petit Guavas; since which another privateer sloop took and plundered a sloop from Bermudas bound in hither, the master of which reports that a ship of 30 guns from Martinico is speedily expected on this coast, besides the vessels abovementioned, there has been taken on this coast two sloops belonging to North Carolina with provisions, and our look-outs report that they have seen two other vessels burnt, but what they were is not known, there being no men set on shore. I inform'd your Lordships in my last of the arrival of H.M.S. *Enterprise*, but she was in so bad a condition that the Captain has been ever since employed in refitting her, she is now ready to sail bound for New York to clean, and then to proceed to the Bahama Islands, to put in execution an order from Col. Dudley for discovering the strength of the enemy in those Islands, after which she will return hither to attend as guardship, but that cannot be expected till September, so that in the meantime this coast will be left without any manner of defence, and unless the convoy with our London fleet do arrive speedily, I do not see what should hinder the Privateers, not only to ly within the Capes and intercept the Trade, but to come into ye Rivers and destroy ye ships there. I used all the arguments possible to engage the Captain of the *Enterprise* to stay for the defence of ye Country and delivered him copy of the opinion of the Council, inclosed. But in answer he urged his orders from Col. Dudley, which was in pursuance of Instructions from my Lord High Admiral, and that he could not delay the putting them in execution, nor could he attend this station, till that service was over. I also understood from him that upon his being ordered hither, the Admiralty had recalled their directions for hyring a sloop to attend this Coast, which has been a very unhappy resolution for this country, for certainly such a vessel would have been of much more service than the *Enterprise*. Had such a vessel been here now, we should not have been so unhappily at the mercy of the enemy, nor H.M. subjects suffered so considerable losses on this coast. I have again, as it is my duty, represented this to the Admiralty, and humbly pray your Lord-

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ships will be pleased to use your more powerfull interest at that Board for obtaining a 4th rate man of war, and a sloop to be employed for the defence of this Country, and that they may be appointed entirely for this station, without being sent upon other intermediate services, which being lyable to many accidents may hazard the safety of this country and trade, as this expedition of the *Enterprize* is now like to do. Since my last, two of the negros that were ringleaders of the intended insurrection have been condemned and executed, and I hope their punishment will secure us against future attempts of this nature. This being intended by a runing ship, I have not thought it safe to send the publick papers, but shall by the first opportunity of a convoy. Signed, E. Jennings. Endorsed, Recd. 14th, Read 25th Aug., 1710. 2½ pp. *Enclosed*,

263. i. Minutes of Council of Virginia, April 19, 1710. *Copy*. 2 pp. [*C.O.* 5, 1316. Nos. 49, 49 i.; and (*without enclosure*) 5, 1363. pp. 192-197.]

June 11.  
Barbadoes.

264. G. Lillington, President of the Council of Barbados, to the Council of Trade and Plantations. The Governor having left this Island on May 15th, in a very divided and turbulent condition, as it has been for some years past, I endeavour'd by all the means I could, and particularly by severall speeches to the Councill and Assembly to bring them again to an Union and good agreement, and assur'd them, that as no person had recd. more injurys then myself, soe I would sett them an example, and that I was resolv'd to sacrifice all resentment to duty and our common interest as the persons concern'd should really find. This promise I have kept, and carried it soe far as to putt all my chief adversaries, from whom I have recd. the greatest wrongs in Sir B. Granville's time, into the Commission of the Peace, in hopes that such an example would have been followed by a generall union and reconilemt. How much I have been disappointed in this the Minuits of Councill and Assembly, and other papers sent herewith will shew. By which it will appear, that this Island has been now severall months without a Treasurer, and without a Revenue, and that two Excise Bills have been flung out by the Councill in about 3 months time, only because the Assembly had nominated Mr. Downs for Treasurer. It likewise appears Mr. Downs desir'd the Assembly to nominate another Treasurer, that the displeasure conceiv'd agt. him by some of the Councill might not obstruct the publick good of the Island; which the Assembly thank't him for offering; but did not think fitt to doe. After which I prorogued the Assembly, and on their first meeting I exhorted them to bring in a new Excise Bill in such manner that all future disputes with the Councill might be avoided. The same day they passed a new Excise Bill, and named a new Treasurer, Mr. Ball, and sent it up to the Councill, and there it sticks, the Councill having rejected Mr. Ball for Treasurer, and ordered their Committee to putt in another Treasurer, soe that I see no probability that this or any

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other Excise Bill will pass, till two or three of the most violent Members of the Council are gratified with the dissolution of the Assembly, and the election of a new one, which I doe not think fitt to be done att this time. Thus the Governmt. is left without any Revenue to support it; the Island exposed to danger and in confusion, and no prospect of relief but what should be produced by speedy and effectuall orders from H.M. I am much mistaken if I have given any Members of the Council just cause of discontent, and yet some of them have began a kind of paper warr agt. me here, and have likewise threatned to complain to H.M. Knowing my own integrity and good intentions in all I have done, I shall expect Her determinacon with great impatience, and doe humbly pray your Lordships that it may be speedily done, and that the reall offenders may be duely censured, and they and others thereby effectually discouraged from the like for the future. I am far from thinking all the members of the Council, who have sign'd the paper sent home herewith guilty of ill designs in soe doing, but your Lordships on the severall informations formerly sent home, will find and distinguish who are the leaders and who are the persons led. The complainants doe always take care to have their affairs well solicited in Brittain, whereas there being no Agents for the Island, now in England, I can only lay these matters before your Lordships, etc. Signed, G. Lillington. Endorsed, Recd. 15th, Read 28th August, 1710. 3 pp. Enclosed,

264. i. Abstract of proceedings in the Government of Barbadoes from the departure of Governor Crowe, May 15, to June 8, 1710. (*v. Minutes of Council and preceding letter.*) The Council insisted that they had an equall power to reject as the Assembly have to nominate a Treasurer. The Assembly insisted on the Treasurer they named. Seven members of the Council, Messrs. Sharpe, Cox, Chamberlain, Walker, Alleyne, Pilgrim and Salter then pressed for the dissolution of the Assembly, and presented a paper to the President justifying their attitude. Their points answered. Three members were against the dissolution, and the Attorney General gave his opinion that it was an extreme measure, and all proper remedies should be first tried in the then excited state of the Island. The President therefore prorogued the Assembly (*as supra*). Endorsed, Recd. Aug. 15th, 1710. 16½ pp.

264. ii. Seven members of Council of Barbados to George Lillington, President. Paper referred to in preceding *q.v.* Signed, Wm. Sharpe, Sam. Cox, Timothy Salter, Middleton Chamberlen, Alexander Walker, Tho. Alleyne, John Pilgrim. June 6, 1710. Endorsed, Recd. Aug. 15, 1710. 4 pp.

264. iii. Minutes of Council of Barbados, Dec. 17, 1690, relating to the manner of choosing a Treasurer. Endorsed, as preceding. 2½ pp.

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264. iv. Deposition of Col. John Milles. Governor Crowe, at a meeting of the late Assembly, declared in Council the sureties (Col. Christopher Coddington, Guy Ball, Thomas Horne, and Thomas Hothersall), offered in behalf of Col. Downes as Treasurer, and it was acknowledged there could be none better. *Signed*, John Milles. *Same endorsement*. 1 p.

264. v. Certificate that the Memorial (*No.* ii.) was delivered to the President of the Council, June 10, *etc.* *Signed*, A. Skene. *Same endorsement*.  $\frac{1}{2}$  p. [*C.O.* 28, 13. *Nos.* 35, 35 i.-v.; and (*without enclosures*) 29, 12. pp. 245-248.]

June 11.  
Barbadoes.

**265.** George Lillington to the Earl of Sunderland. To same effect as preceding letter. *Addressed*.  $2\frac{1}{2}$  pp. *Enclosed*,  
265. i. Duplicate of *No.* i. *supra*. [*C.O.* 28, 43. *Nos.* 41, 41 i.]

June 13.  
Bermuda.

**266.** Lt.-Governor Bennett to the Council of Trade and Plantations. The last letter I have been favoured with from your Lordships which hath arrived here (but I understand the Governor of Barbados hath a packt. for me with a new Seal) was dated July 15, 1709, which I answer'd Oct. 30. Inclosed are affidts. taken agst. one James Briggs, who is charged with piracy and in custody here. He pretends he was examined and cleared by Sir Char. Hedges in 1700, but produces noe voucher for the same. But if he could, these depositions are fresh matter, and I pray your Lordps'. directions what must be done therein, the Act for more effectual suppressing of piracy being expired. Also is inclosed the trials of severall sailors that belonged to a sloop called the *Flying Fame*, Capt. Hobart Commander, for combining and conspiring to run away with the said vessell, and goe a pirateing. Likewise is inclosed the trials of several soldiers belonging to H.M. Indipendt. Company of Foot here att a Court Marshal, for confederating and agreeing with those sailors to joyne in the running away with the sloop, and to goe a pirateing with them. As also for contriveing, conspiring and agreeing together, that when they were released from their confinemt., they would take an opportunity to seize some vessell, and run away with her for France, and there Collins (one of them) was to acquaint his brother (who he said was a Lieut. Colonell) from whence they came, and to request him to inform the French King and to send Force, and he (Collins) would undertake to conquer these Islands, and prescrib'd ways of doing it, and severall other matters which the Judge Advocate drew up by way of information (inserted in the tryals), and exhibited to the Court as being contrary to the 10th Article of war; and upon a full hearing the soldiers were all found guilty and sentence of death passed upon them: but I suspended execution until H.M. pleasure was further known. It was proposed amongst them that after they had entred the town with a French Force, the first thing was to

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secure the Governor, but they concluding I would not be easily taken, Collins replied he would value shooting the Governor noe more than to shoot a dog, upon which Anthony Kenty, one of them (as appeared on their trials), said, God forbid I should have anything to doe with his blood ; which tenderness engages me to become a most humble supplycant to H.M., that she would be gratusly pleased to extend her mercy to that man ; and doe pray that when your Lordps. make a representation of this matter, that my most humble supplication for Anthony Kenty may be reported. Pardon me, my Lords, if I mistake the means or manner of addressing myself to H.M., which I conceive in this case could not be soe properly done as thro' your Lordps. or the Earl of Sunderland as Secretary of State, to whom I have wrote to the same purpose. As also concerneing the pirate, and transmitted all papers relateing to both matters, conceiveing it my duty soe to doe. This Country has been very sickly for these severall monthis last past by an acute distemper (the Doctors wants a name for) which took people with a pain in their head and side, and usually killed in five dayes, and was concluded infectious. Others have been afflicted with a flux, soe that few Familys throughout these Islands escaped one of them : but now the inhabitants in generall are indifferent healthy. *Signed*, Ben. Bennett. *Endorsed*, Recd. 13th, Read Nov. 14, 1710. *Holograph*. 3 pp. *Enclosed*,

- 266. i. Copy of the trials of several soldiers in Bermuda for conspiring with some sailors to run away with the sloop *Flying Fame* and turn pirates. *See preceding*. Feb. 9, 1710. *Signed and endorsed as preceding*. 10 pp.
- 266. ii. Trials of Capt. Hobart's sailors for conspiring to run away with the *Flying Fame* etc. *See preceding*. *Same endorsement*. 8 pp.
- 266. iii. Depositions of Samuel Saltur, William Richardson, Ried. Jennings, and Joseph Dill, as to acts of piracy committed by James Briggs, now in custody. March, 1710. *Endorsed*, Recd. Nov. 13, 1710. 4 pp. [*C.O.* 37, 9. *Nos.* 8. 8 i.-iii. ; and (*without enclosures*) 38, 6. pp. 494-498.]

June 13. **267.** Same to the Earl of Sunderland. *Duplicates of*  
Bermuda. *preceding*, and copy of writ of error relating to Mr. Jones, Secretary. [*C.O.* 37, 28. *Nos.* 4, 4 i.-vii.]

June 13. **268.** Same to Mr. Popple. *Acknowledges* letter of Sept.  
Bermuda. 14, etc. This country has been very sickly, of which unhappiness I have partaken myself, and also my private Secretary, Mr. Davis, who has been given over, and still in a languishing condition, so that one of us for above these eight months hath been always incapacitated for business : and he going with me to view the Fortifications and amunition intrusted to the care of the Militia Officers, took down all the Memorandums from me in order for the makeing up and transmitting an account of

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the same, and when I have been in condition to proceed thereon, he was soe ill as not to be able to explain the Minutes he had taken, which has been truly and only the reason that acct. has not been sent, *etc.* *Signed*, B. Bennett. *Endorsed*, Recd. 13th, Read 14th Nov., 1710. *Holograph*. 2 pp. [C.O. 37, 9. No. 11; and 38, 6. pp. 504, 505.]

June 15.  
London.

**269.** Council of Trade and Plantations to the Queen. Representation upon Capt. Edward Cowley's petition, April 20. *The petition is quoted with the evidence in support of it. v. May 17, 25.* [C.O. 29, 12. pp. 107-109.]

June 15.  
Custom House,  
London.

**270.** Mr. Carkesse to Mr. Popple. The Commrs. having received a letter from Mr. Perrie, Surveyor Generall of the Leeward Islands, wherein he complains of an unwarrantable proceeding of the Governor of Antego, send you a copy to be laid before the Council of Trade and Plantations. *Signed*, Cha. Carkesse. *Endorsed*, Recd. 15th, Read 20th June, 1710. *Addressed*.  $\frac{1}{2}$  p. [C.O. 152, 9. No. 20; and 153, 11. p. 29.]

June 16.  
New York.

**271.** Governor Hunter to Mr. Popple. I arrived here two days agoe, we want still three of the Palatin ships, and those arrived are in a deplorable sickly condition. All is quiet on the Frontiers. By the next occasion I shall be able to inform their Losps. more particularly, this ship being ready to sett sail for Lisbon, *etc.* *Signed*, Ro. Hunter. *Endorsed*, Recd 11th, Read 28th Aug., 1710. *Holograph*. 1 p. [C.O. 5, 1049. No. 160; and 5, 1122. p. 170.]

June 21.  
Whitehall.

**272.** Mr. Popple to Charles Carkesse. *Reply to June 15.* The Council of Trade and Plantations have frequently recieved complaints of the like nature from several of the Plantations, and lately represented to H.M. that her pleasure be signified to the several Governors in America, that whenever they shall have occasion to send flags of truce to any of the French Islands, they take care that no more goods or provisions be permitted to be laden on board such vessels, then what shall be necessary for the voyage, which H.M. was pleas'd to order to be done accordingly, and further their Lordships have writ to the said Governors, directing them that when any flags of truce do arrive from the French Islands, that the persons who come therein be not permitted to come on shoar, nor speak with any persons but such as the said Governors shall appoint, so that if the Governors observe these directions, their Lordships hope the abuse complained of may be prevented. [C.O. 153, 11. pp. 35, 36.]

June 21.  
Whitehall.

**273.** Council of Trade and Plantations to Lord Dartmouth. Enclose copies of letter from Governor Parke, April 24, and petition from the Regiment in the Leeward Islands, to be laid before H.M. [C.O. 153, 11. p. 37; and 152, 39. No. 119.]

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June 25.  
Barbadoes.

**274.** George Lillington to the Council of Trade and Plantations. Since my last letter (June 11), nothing of much importance has hapned. The Excise Bill, and the other tax are not yet passed, and I doubt will not, by which the Government still continues without any Revenue, and the Island extreemly expos'd: and I have reason to fear it will soe continue till some effectuall remedie be applied by H.M. Att the Grand Sessions which sate last week, there were severall Address made by the Grand Jury (*enclosed*). Notwithstanding the respect shewn to me [*therein*], I think it my duty to observe that Grand Jurys in this Island are not appointed and return'd as in England, but are always compos'd of such persons as the Cheif Justice is pleas'd to appoint. And that severall of the Grand Jury were persons whom the late Govr. had remov'd out of the Commission of the Peace, and some of them for good reasons, as particularly the Foreman of the Jury, who was unanimously censur'd by the Governor and Councill in 1708, on a complaint against him by the Attorney Generall, and was thereupon turned out from being a Cheif Judge, as may appear by the Minuits of the Councill, in the Plantation Office. *Signed*, G. Lillington. *Endorsed*, Reed. 8th, Read 11th Sept., 1710. *Addressed*. 1 $\frac{3}{4}$  pp. *Enclosed*,

274. i. (a) Address of the Grand Jury of Barbados to the Queen, Return thanks for the recall of Governor Crowe. *Signed*, Joseph Salmon jr., Tho. Harper, Christo. Fowler, John Trent, Robt. Harrison, Stephen Browne, Jno. Wiltshire, John Rolstone, Jer. Chace, Cha. Egerton jr., Henry Taitt, Alexander Anderson, J. Scott, Richd. Sandiford, Joseph Hannis, Mathew Keynell, Saml. Maverick, Wm. Cogan, Goner Platt, Thos. Palmer, Thos. Carew.
- (b) Address of the Grand Jury to George Lillington, President of Barbados. We gratefully acknowledge your impartiality in establishing the Commission of the Peace, particularly in reinstating severall gentlemen illegally displaced by Mr. Crowe, *etc.* Our divisions have a fatal influence upon our credit, and we have so many growing rivalls in our staple commodity that nothing but united counsells cautiously resolved upon and vigorously executed to the improvement of our advantages by art and nature, can put us upon a ballance. *Signed as preceding.*
- (c) Address of the Grand Jury to William Sharpe, Alexander Walker, and Samuel Berresford. Return thanks for their great and unselfish services in charging Mr. Crow with male-administration, *etc.*, also to Lord Sunderland and the Commrs. for Trade, *etc.* *Signed as preceding.*
- (d) Same to William Sharpe, C. J., June 15, 1710. Return thanks and present preceding addresses. *Signed as preceding.*
- (e) Presentments of the Grand Jury of Barbados, June 13-16, 1710. That the laws against cursing and swearing be put into force. That all due encouragement for

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the advancement of good literature, so much heretofore mentioned in former presentments, be noe longer delayed. That the indifferent state of the highways be amended, and surveyors of highways severely punished for failures in their dutys. That effectuall care be taken that the streets and common shores of St. Michael be frequently cleansed and repaired, the neglect whereof has been the occasion of many distempers and consequently may tend to the discouragement of trade. That owners of tottering and decayed buildings about the townes be obleidged either to rebuild or pull them downe. That for the commodious loading and unloading of vessells, a strict and dilligent enquiry be made into the condition of the wharffs, and those out of repair amended. That the great Bridge leading from the towne to Carlisle Bay be speedily built at the publick charge. That many practices have of late been used to procure hands to a petition addrest to H.M. in favour of Mr. Crow ; that the same has been tendered to troops of the Militia upon duty to signe it, children and servants have been prevailed with to putt their hands to it, and many illiterate persons have bin deluded to allow their names to be putt to it, under a pretence that the same was only to prevent taxes ; all which practices have bin designed to misrepresent the inhabitants as approveing Mr. Crow's administration, when the same was grievous to the greatest part of the Island. That proper application be made to H.M. to ascertain the value of gold as well as silver coine throughout H.M. Plantations in America. That in passing an Excise Act, care be taken that the person nominated to be Treasurer be neither a member of Councill or of the Assembly ; out of debt, of a clear and unspotted reputation, and that he doe not hold or intend to hold the same in trust for another, or give any consideration for his appointment but reap all the profitts to his own propper use, and that by the said Act he may be obleidged to frequent and fair accomptings, thereby to retrieve the lost credit of the Country. *Signed as preceding. Copy. Signed, Norman Mackaskell. The whole endorsed, Recd. Sept. 8, 1710. 7 pp.*

274. ii. Copy of proceedings of the Court of Grand Sessions, St. Michael's, Barbados, June 13-15, 1710. *Endorsed as preceding. 13½ pp. [C.O. 28, 13. Nos. 39, 39 i., ii. ; and (without enclosures) 29, 12. pp. 266-269.]*

June 25. **275.** George Lillington to the Earl of Sunderland. Duplicate  
Barbados. of preceding letter. *Addressed. [C.O. 28, 43. No. 42.]*

June 26. **276.** Governor Crowe to the Council of Trade and Planta-  
Newcastle. tions. I dispatch this express on purpose to acquaint your

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Lordps. of my arrival here this morning. I shall take the first opportunity from hence in order to waite on your Lordps. *Signed*, M. Crowe. *Endorsed*, Recd. 28th, Read 30th June, 1710. 1 p. [C.O. 28, 13. No. 28 ; and 29, 12. p. 110.]

June 27.  
Whitehall.

**277.** Council of Trade and Plantations to Governor Handasyd. *Acknowledge* letter of March 25. Having already acquainted you (April 4) that the Flottilla was arrived at Cadiz, we have only to add, that if it could have been possible that timely notice of its departure had been transmitted hither, such measures might then have been taken as to have intercepted that Fleet before they had got into Port. We have again laid before the Commissioners of the Admiralty the bad state H.M. ships of war are in at Jamaica, as likewise what you write of the arrival of two French men of war in those parts. We have also laid before H.M. the Address to Her (March 25), together with our observations, *etc.* *Copy enclosed*. We do not as yet hear of any complaint made against you by the owners of the *Elson* gally. If any such complaint does come before us, we shall take care that no wrong be done you. *Repeat objections to the Act for regulating fees*, a hardship upon practicers at law, for it may happen they shall be then retained against a friend or nearest relation, or perhaps in a cause which they may think unjust, *etc.* *Enclose* Mr. Solicitor General's opinion thereupon, which you will do well to lay before the Assembly, and endeavour to get them to pass a new Act for regulating fees, not liable to the objections Mr. Solicitor has made ; otherwise we shall be obliged to lay the abovementioned Act before H.M. for her disallowance. [C.O. 138, 13. pp. 137-140.]

June 30.  
Antigua.

**278.** Governor Parke to the Council of Trade and Plantations. I have not reciev'd any letter from your Lordships by this packett, only duplicates. The Complainants have taken severall affidavitts against me to support their villannous complaint ; all their affidavitts to any crime they have charged me with, I have proved perjuries. I have also proved they designed to assassinate me that night the riot was committed. When your Lordships sees the whole, you will be amazed that so much villanny should be acted against a Governour in so small a place, and without any provocation except it was his indeavours to make them honest, and to establish some forme of Government amongst them. As yet they have subscribed to no Articles against me, only taken some ridiculous affidavitts, so that I know of no answer, but I shall religiously obey the Queen's Order, and come home with the first man of warr. *Signed*, Daniel Parke. *Endorsed*, Recd. 8th, Read 11th Sept., 1710. 1 p. [C.O. 152, 9. No. 30 ; and 153, 11. p. 65.]

June 30.  
Antigua.

**279.** Same to the Earl of Sunderland. *Duplicate of preceding*. [C.O. 152, 42. No. 26.]

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[? July].

**280.** H. M. Warrant for a new seal to be used in Jamaica. *Countersigned*, Dartmouth. [*C.O.* 324, 32. *pp.* 4, 5.]

[July —].

**281.** Permits for 4 ships to sail without convoy. *Signed*, Dartmouth. [*C.O.* 324, 32. *pp.* 1, 2.]

July 3.  
N. London.

**282.** Depty. Governor Saltonstall to the Council of Trade and Plantations. By a letter of Feb. 2, 170<sup>9</sup>/<sub>10</sub>, I gave your Lordships an account that there had been no negros transported from Africa into this Colony from Dec. 25, 1708 to the following Christmas. There has been nothing of that trade in this Colony the next ensuing half year, from Dec. 25, 1709, to this present time. *Signed*, G. Saltonstall. *Endorsed*, Recd. 8th, Read 23rd Jan., 17<sup>10</sup>/<sub>11</sub>.  $\frac{1}{2}$  p. [*C.O.* 5, 1264. *No.* 107; and 5, 1292. *p.* 241.]

July 3.  
Boston.

**283.** Lt. Governor Usher to the Council of Trade and Plantations. On 20th June honrd. wth. rectt. of yours 16th Jan. lastt. In obedience to your Lordps.' commands, herewth. you will receive an explination as to greatt tracts of lands by town grants and quitt-rentts. When Governmtt. seized outt of my hands, a law then made, to confirme titles of lands by town grants, wch. law when I was in Engld. was repealed. Mr. Mason's claime by grants from Naumkege to Piscataqua, about 60 miles, and Masona, of wch. 40 miles in Massachusetts Governmtt., and 20 miles in province New Hampshire Governmtt. Mason in persuantt sd. grants firstt settled the country, builtt fourttts, sentt over aboutt 50 servants, in advance for setleing the place aboutt £20,000, as per inventory. As to greatt tracts of lands, Mr. Walderen's father and now the family lays claime to aboutt 18,000 achres; by town grants, and nott above 100 achres inclosed and improved. Mr. Tho. Allen hath copys of town grants in town of Dover. Mr. Cuttses family greatt tracts of lands in Portsmouth, soe alsoe in other towns greatt tracts of lands. Mr. Tho. Allen's case dismistt, people being informed: Mr. Walderen had obtain'd judgment agtt. Mr. Allen, and title confirmed to possessor, Hampton and Portsmouth etc. divided all theire lands in town precinecks (wch. formerly laide uninclosed and in common) to perticuler persons, whoe doe and still are incloseing the same. Soe Quene nor Mr. Allen any rightt to trees or soile, if town grants to perticuler persons be good. Soe noe nede of a Surveior. As to Mason's surrender of Governmtt. to the King, an agrementt made as to quitt rents to take sixpence on the pound yearly vallew, and all uninclosed lands to be Mr. Mason's, and he to allow 1-5th partt, for suportt of the Governmtt., wch. agrementt. att your Ldshps.' board. Masona Mr. Allen was in posesstion, builtt houses, the greatestt place for fishery: Indians in the spring haveing there cheifestt livelihood by fowling and fishing, where if a fourtt builtt, would be of more service then one att Pemaquid, as Col. Romer or his son can inform. Mr. Walderen and soe others by town grants for stream of the mills, was to pay to

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there respective towns £10 per annum and 20s. for every mast tree. Mr. Samuell Allen a little before his decease had an offer from ye Genll. Assembly in province New Hampshire for accomodation £3000 in mony, 5000 achres of land, and all waste lands withoutt town bounds: by his Exy. esteemed worth £10,000, accott. of wch. Wm. Blaithwaitt Esq. and Mr. Tho. Allen can informe, as well as myselfe. If worth £10,000, interestt is £600 per annum, allow a Collector £100 for collecting rent, then by computation (which judge moderate) remain £800 besides giving all arrears: worth £12000. As to claime, a map att your board, title constantly claimed in all King's reigns and owned. Case when wentt last for Engld., was under seal of province, in itt an appeall from inferiour Courtt to superiour: in reasons of apeal and answers thereto, title of Apelle and Apellant sett forth, in nature of a spetiall verdictt: judgmt. in inferiour Courtt frequently reverstt: Mr. Allen haveing the whole case, by itt your Ldshps. may be informed as to title. A computation for quitt-rents (onely for New Hampshire) Governmtt. being 20 miles ye 40 miles, ye 40 miles in Massathussetts Governmtt., nott less then like sum; abate one halfe of computation, remain £800 besides interestt and charge. Such strip and waste made of lumber, people now forced to fetch beyond town bounds, if H.M. perchase province, she may forthwith enter on waste lands outt of town bounds, wch. lands the Assembly disclaimed any title to. On June 26 waited on H.E., shewed your letter, replyed had copy of mine, asked of me whoe laid claime to greatt tractts of lands, acquainted him Mr. Walderen's family; replied business was for Mr. Allen to sell to the Crown, wch. would be bestt for Crown: people: and Mr. Allen (law sutes haveing ruined two familys already), and nott concern aboutt greatt tracts of lands, and when I writt aboutt the province, nott to make itt larger then itt was, and quitt rents nott greatt. As to bounds, grants will shew, quitt rentts small and easy: H.E. troubled att my writeing. Discourseing aboutt coine, said had given direction to judges to take care therein, care is: merchantts sells goods for £100 att rate of 15 dwt. for 6s.; sue for £100, judges as Chancellors reduce from 15 to 17½ dwt., accordingly give judgemtt., ytt in truth butt 15 dwt. is pd. for 6 shills. Being faithfull to the Crown, am nott less sufferour in my estate then £3000, etc., for wch. should be glad of some reliefe, etc. *Signed*, John Usher. P.S. Newcastle, Aug. 17, 1710. Above copy of wtt. forwarded in answer to Jan. 16. H.E. is nott pleased to communicate anything to me relateing to the province. By reason of H.E. and my absence, there is noe care in scouting, etc.: hearing the province in greatt distress never the like, Indians killing there cattell, frequently takeing captives, boldly shewing themselves before there garrisons, dareing them to come outt, and for want of care inhabitants dare nott stir two miles from there houses. Haveing Queen's commistion, judged my duty under such circumstances to vissitt province, accordingly 15th inst. wentt thither, where found said accott. true. I ordered one halfe of

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the province to march outt with provision for thre or foure days, to make discovery of the enemy, and them to take, kill and persue. In province found Mr. Walderen and Mr. Hunkings sworne and admitted of the Councill by directions from H.E., Sworne as by order from ye Queen and Councill, examined ye order and ytt. signed by E. Southwell, whereas in sd. order, itts ordered the rightt honorable Secretarys of State prepare warrantts for H.M. roiall signett, ye Gentm. judging H.M. honour nott worth ye charge, in takeing outt orders from Secretary's Office, getts a copy of minuitt Councill from Mr. Southwell's Office, wch. the Governour admitts of, wth. humble submition oughtt to be outt of Secretary's Office wth. roiall signett, and conceive a slightt of Queen's favour and affrontt on Queen's Order in Councill. As formerly writt, am still of opinion will be for H.M. service to have all officers comistioned from Queen to be of ye Councill as Secretary, Surveieur of woods, Collector etc., for att presentt there are none will serve H.M. interestt, in case she should take the province into her hands. Crave excuse for my plain writeing, being purely for H.M. service, as I aprehend, being on the place and knowing the circumstances thereof. *Signed*, John Usher. *Endorsed*, Recd. 12th, Read 16th Nov., 1710. 2½ *closely written pp. Holograph. Enclosed*,

283. i. Copy of Order in Council March 31, 1709. [*C.O.* 5, 865. *Nos.* 51, 51 i. : *and (without enclosure)* 5, 913. *pp.* 259-267.]

July 3.  
Cockpitt.

**284.** The Earl of Dartmouth to the Council of Trade and Plantations. The Queen would have your Lordships send me an account the last advice you received from Jamaica, what ships of warr or privateer the Enemy has in those parts, in what condition we are to resist them, and what force may be necessary for the security of the Island and the Trade there. *Signed*, Dartmouth. *Endorsed*, Recd. Read July 4, 1710. 1 p. [*C.O.* 137, 9. *No.* 8. ; *and* 138, 13. *pp.* 140, 141.]

July 4.  
Whitehall.

**285.** W. Popple to Sir Gilbert Heathcote. Request to bring his opinion in writing on Thursday as to preceding. The like letter to Mr. Loyd (*v.* July 6). [*C.O.* 138, 13. *p.* 141.]

July 4.  
London.

**286.** Mr. Dummer to Mr. Popple. *Gives* sailings of the *Resolution* packet. Through bad weather and being forced about Cuba by French privateers, he has spent 165 days, *etc.* He sailed from Jamaica Aprill 13 with 7 other ships in company, and with them ply'd to windward untill May 2. The *Windsor* and *Roebuck* were their convoy, and meeting a French man of warr of 44 guns and severall privateers between the Capes, all the merchant shipes bore away to Leward for the Gulfe of Florida, they all beleiving it impracticable to pass the Windward Passage, as the wind stood, without being taken, *etc.*, 'Tis advised from Jamaica (April 9) that the Galeon is still at Carthagene, and likewise a French Shipec very richly laden. But the *Lavera*

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Cruz fleet sailed from the Havanna Jan. 6 or 7 last, and were mett Feb. 4 in ye latitude of Cadiz by this packett boate, being 25 saile. *Signed*, E. Dummer. *Endorsed*, Reed. 4th July, 1710. *Addressed*. *Postmark*. 1½ pp. [C.O. 323, 7. No. 2.]

July 5. **287.** John Mackley to Lord Dartmouth. *Encloses* following London Street, "to be published, if your Lordp. shall see fit, for my son's honr. Ratcliffe. and to the encouragemt. of our saylors and commanders."

*Signed*, Jno. Mackley. *Addressed*. *Postmark*. 1 p. *Enclosed*,

287. i. Thomas Mackley, Commander of the *Alexander* galley, to his father, John Mackley. Jamaica, May 8, 1710. *Describes* two engagements with French privateers, off Granada and Jamaica. Though boarded by greatly superior numbers he repulsed them and reached Jamaica with more prisoners than he had crew. *Signed*, Thomas Mackley. *Copy*. 1 p. [C.O. 137, 45. Nos. 91, 91 i.]

July 5. **288.** Col. Quarry to Mr. Pulteney. There hath beene such New Yorke. misscaredge in letters that I thought it my duty to send severall coppeis of the inclosed in hopes to secure one save to your hands, etc. As soone as I heard of H.E. Collonell Hunter's arrivall in his Governmt. of New Yorke, I hastened thether to pay my duty to him; in few dayes he went to the Jerseys and published his Comission to the great sattisfaction of all persons and partys whose spiritts and tempers he had so allayed and sweetened by his speach in Councill (weh. was soone made publicque) that there appeared a very greate disposition in all persons towards an union and reconciliation of all particuler differances, disputes and former quarrells, so that those who ware the greatest enemies seemed to contend only, who should soonest referr all contests to the judgment and determination of so good a Governour! The reconciliation of these privatt quarrells will very much tend to the accomodating all the publicque disputs and contests of the Country in a Generall Assembly, the maine of all being that of property, in weh. H. E. hath assured them that hee will not interpose or conserne himselfe, but leave it wholly to the determination of the Law. Had some former Governours taken that just and prudent stepp, the Country would never have beene involved in those heates and confutions which of late they have laboured under. I may truly say that never any Governour was sent to these parts of the world so very well quallified to answer this greate end as H.E. Col. Hunter is, his judgment, prudence and temper is very extraordinary and suffitiant to overcome greater difficulty then what hee will meete with in composeing ye differancy of these Govermts. H.E. hath shewen much prudence and conduct in order to the settleing the poore Pallatins, by weh. the end weh. H.M. proposed will bee efectually answered in a vast advantage and security to all these Govermts. P.S. Coll. Nicholson is expected in Boston every day; all things is in a redyness there (as I am informed) they

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are uneasy at his stay, the nature of the designe requires all the dispatch imaginable, delay may prove fatal. I hope the next Post will bring the acco. of his arrivall, and so remove all feares. *Signed*, Robt. Quarry. *Endorsed*, Recd. 14th, Read 24th Oct., 1710. 2 pp. [*C.O.* 5, 1049. No 163; and 5, 1122. pp. 183-185.]

July 6.

**289.** Richard Loyd to the Council of Trade and Plantations. *Reply to July 4.* I advis'd with such merchants and Planters interested in Jamaica, as are now in town, who informed me that there are 3 men of warr, or privateers, from 40 to 26 guns, cruising to windward of that Island, 4 privateer sloops, 2 upon the north side and 2 to windward, 5 or 6 sloops fitting out at St. Jago, upon Cuba, which is very near Jamaica, and others from Petit Guavas, which must of course greatly distress the said Island. That the British men of warr now attending there, are in some measure disabled for want of seamen, that our private ships of war which last year sail'd out of Port Royal were 25 or 30 sail, and had between 2 and 3000 seamen, most of whom are driven from the said Island by the vigorous and too severe execution of a power sent to Peter Beckford, jr., by the Commissioners of the Customes for collecting duty's arising upon prize goods; that they know not what number of men of warr the enemy have in the Windward Islands, but are informed that 8 large French men of warr were seen 5 or 6 weeks since in the latitude of Maderas bound to the West Indies, and suppos'd to be gone for the galleons to Carthagena, which is but 48 hours sail from Jamaica: that if all these forces should joyne to make a descent upon the Island it would be in great danger. That their humble opinion is, that for the speedy relief of the said Island, it would be convenient that the powers granted Beckford be recall'd, and a proclamation issued to encourage the said privateers to return, suspending all farther prosecutions now depending or to be commenced by force of the Act to encourage the trade to America, until the next Session of Parliament; that H.M. be pleas'd forthwith to order 8 men of war from 40 to 60 guns to sail directly for the said Island, that each of the said men of war do carry a certain number of supernumerarys for H.M. ships now there, some of which for want of them are neither capable to do service in those parts, nor proceed in their voyage home when they shall be recall'd. *Signed*, Richd. Loyd. *Endorsed*, Recd. Read July 6, 1710. 2 pp. [*C.O.* 137, 9. No. 11; and 138, 13. pp. 147-149.]

July 6.  
London.

**290.** Mr. Dummer to [?the Earl of Dartmouth]. In obedience to yr. Lordshp.'s commands, I have again considered the question put to me, whether the season be not too late to attempt anything against Canada. And for my direction herein I have had recourse to the expedition in 1690. They did not come to the mouth of the River of Canada till Oct. 5th. The ships got safe to Boston Nov. 19. So that its plain that at least that year Oct. and Nov. would have serv'd us to have made ourselves masters of Canada, had we not fail'd in other respects. In

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the next place, that I might not mislead the Government in an affair of this consequence, I have this day had some private discourse with severall of our New England masters of ships, without communicating to 'em the design. They assure me that wee cannot goe up the River of Canada before Sept. because of the winds, which till then hang westerly, and the freshetts which in that month are at the lowest. And that therefore the French storeships which goe there yearly from France choose that month to come upon the coast. And that if it should come to the latest, it will be very easy to seize the coast in October, and not very difficult to doe it in November. And particularly they say (and I'm otherwise inform'd of it) that they concluded at Boston last year when they were expecting the fleet from England, that if they sail'd from hence by the last day of July, it would be early enough. And as for the objection of Newfoundland, I answer that Canada is both to the westward and the souther'd of it, and upon the main, and the River of it is secure, where the ships may come to an anchour every night, and the easterly winds which blow a storm at Newfoundland are fair gales to carry ships up this river. And I would add another reason for the proceeding of these forces to America, that if Col. Nicholson should fail in his enterprize (which I pray God to prevent) these forces cannot possibly fail of reducing Nova Scotia at any time of the year. Upon the whole, my Lord, I could wish we had been earlier, yet I don't believe it is now too late. And seeing this is the onely oppertunity which in all probability we shall ever have to make the Plantations easy and secure by extirpating the French, who arm the bloody Indians against us, I cannot forbear saying in behalfe of New England that I hope H.M. will not omit to make so sensible an addition to all the other glories of Her Reign. Thus I have laid before your Lordship my opinion to be communicated to H.M. in Council. As my heart is very much in this enterprize, so I shall be glad (if H.M. please) to have a hand in it. *Signed*, Jeremy Dummer. 3 pp. [C.O. 5, 10. No. 135.]

July 7.  
Whitehall.

**291.** Council of Trade and Plantations to the Earl of Dartmouth. *Reply* to July 3. *Enclose* extracts of the Governor of Jamaica's letters March 25 and April 9, and *quote* Col. Loyd's letter July 6, and theirs of May 16. Upon consideration of all which we humbly submit it to H.M. whether it may not be necessary for the security of that important Island, and the trade thereof, that 7 or 8 men of war, from 40 to 60 guns, be forthwith order'd to sail thither, and that every one of the said ships do carry with them a competent number of supernumerary seamen for the supply of H.M. ships now there. We are the rather of this opinion since we find that in Dec. 1703, when several French men of war were sent to the West Indies, that this Board did then represent to H.R.H. the Lord High Admiral that 10 or 12 ships of war might be appointed for a constant guard of that Island during the war. [C.O. 138, 13. pp. 150-152; and 137, 45. Nos. 92, 92 i.]

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July 7.  
Whitehall.

**292.** The Earl of Dartmouth to the Council of Trade and Plantations. H.M. having been pleased to appoint Col. Corbett to be Governor of Maryland in the room of Mr. Seymour deceased, I desire you will please to direct a Commission and Instructions to be prepared as usual for H.M. approbation. *Signed*, Dartmouth. *Endorsed*, Recd. 12th, Read 13th July, 1710. 1 p. [*C.O.* 5, 717. No. 11; and 5, 727. p. 177.]

July 7.  
Woodcote,  
nere Epsom  
in Surrey.

**293.** Lord Baltimore to Mr. Popple. *Encloses* following lately received from Mr. Charles Carroll, and proposes to attend upon the Commissioners of Trade. *Signed*, C. Baltimore. *Endorsed*, Recd. 8th, Read 11th July, 1710. *Addressed*. *Sealed*. 1 p. *Enclosed*,

293. i. (a) Reasons assigned by the Assembly of Maryland for passing the Act requiring Surveyors of land to qualifie themselves by takeing the oathes before they should act. (*v.* C.S.P. 1708). (i) That for want of a due knowledge of the severall altercons of the condicons of planta. made by the Lord Proprietary from time to time, his Lordship's Agents haveing forborne for many years to publish and record ye sd. condicons wch. formerly were wont to be, noe man is certain upon what tearmes he is to hold any new grants from him. (ii) And for want of due notice of the fees taken by his Agents and under-officers, wee are lyable to pay any fees by them demanded at their pleasure, as has been manifestly shewn to the Assembly att the time of passing the Law, to the agrievance of many of H.M. subjects here, and obstructing many settlements of ye soyle in prejudice of H.M. Revenue. (iii) Many abuses being complained of to the Assembly done by ye severall depty. Surveyors under the Lord Baltimore, they thought it expedient to prevent the same for the future that noe one should act in that station that would not quallifie themselves as by the law directed, the said Depty. Surveyors being officers acting between the Lord Proprietary and H.M. subjects, who ought to administer right between them in measuring the lands purchased of his Lordship, ye soyle of this Province being not only granted to his Lordship's ancestors, but with an intent of settleing an English Colony, *etc.* *Signed*. W. Bladen, Cl. Co.

(b) *Reply to preceding.* (1) The Lord Proprietor makes noe objection agt. publishing all alterations by him made or hereafter to be made in any of his conditions of planta., but thinks it absolutely necessary to be done. He never made any such alteration, but what he has published in the most solemn and publick manner by affixing the same at Provinciaall Courte and Assembly doores, and transmitted duplicates thereof to the severall Countyes to be affixed at the severall County

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Courte house doores, soe that it was a very needless thing to make an Act of Assembly to compell him thereto. All the conditions of Planta., alterations or additions thereto that his father or his Lordship ever made relateing to Maryland have been recorded in his land office there, whereto all persons might have free access. Consequently the Assembly's pretence of ignorance is frivolous. As for the instructions which his Lop. from time to time finds requisit to give his Agents for the better managemt. of buisiness, he cannot conceive any obligation upon his Agents to make them publick. (2) All the fees claimed by any of his officers in Maryland have been for about 30 years settled there by publick authority with a severe penalty against their receiving more, and all the said fees are publickly knowne, *etc.*, soe that it is very disingeniously alleadged that his Lops. officers may take any fees by them demanded at their pleasure, and not truely said that they had exacted fees not due, for had they done so, the law is as severe against them in that point as agt. any others. Moreover, at the passing that law there was not one of his Lordship's officers called there to answer for themselves (which in justice ought to have been done, before any censure past upon them), nor any action that he can hear of brought agt. any of them, for any misfeasance in their office, and as for the insinuacon that by their doeings they obstruct many settlements of the soyle, doubtless the gentlemen did not consider that noe man knowing the constitution of Maryland could believe their assertion in that point, when as it is manifest that the more settlemts. there are the greater advantage accrues to his Lop., not only by the augmentation of his rent, but by the strength and security of the Province agt. the heathen enemy, and that H.M. interest and his Lop.'s are soe connected together in that respect that the nicest distinguisher cannot assigne a difference between them, soe that his Lordship thinkes the Gentlemen that assigned the said reason for passing the Law have not acted with such candor and sincerity as became the sphear they moved in, noe more then the Assembly has in the makeing severall other partial laws lately sent back with H.M. disallowance thereof. (iii) Tho' some supposed abuses might be complained of agt. some of the Depty. Surveyors, yet a complaint is noe conviction of the crime alleadged; and if the parties complained against were convicted before the Assembly, which they were not, that will not justifie the Act, which involves the innocent, *etc.* Neither his Lordship nor any Depty. Surveyor would object to an oath to bind them to Act impartially, but the oath required by that Law is quite different, which for

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conscience sake some cannot take, and has nothing to doe with the sincere performance of the duty of a Surveyor. At the time of makeing that law there were not above 2 or 3 at the most of the Depty. Surveyors of Maryland but what were professed Church of England men or protestant dissenters, his Ldps. haveing made choice of his officers there not by their professing this or that religious perswasion, but by their capacity of discharging their duty with skill, and the confidence he had of their integrity, to which they are strictly bound before they are admitted, by bond with a smart penalty and very good security, soe that if any of ye people there finde themselves aggrieved by any of the Depty. Surveyors, the method is as it allways has been upon their application to assigne that bond for their reliefe. *Signed*, C. Baltemore.  $3\frac{1}{2}$  pp. [C.O. 5, 717. Nos. 8, 8 i.]

July 8. **294.** Custom House Officers at Bristol to the Council of  
Custom house, Trade and Plantations. Enclose following. *Signed*, J.  
Bristoll. Reynardson, Jno. Elbridge. *Endorsed*, Recd. 10th, Read 11th  
July, 1710. *Addressed*. *Postmark*.  $\frac{3}{4}$  p. *Enclosed*,

294. i. List of ships cleared from Bristol for the Fishery of Newfoundland, June 24, 1709-1710. 7 ships. 1-5th of the crews "green" men, according to the Act for encouraging trade to Newfoundland. *Signed as preceding*. 1 large p. [C.O. 194, 4. Nos. 138, 138 i.]

July 9. **295.** George Lillington, President of the Council of Barbados,  
Barbadoes. to Mr. Popple. *Refers* to letters of June 11 and 25. Since my last nothing of moment has interven'd, except what past on the Councill's two last sittings, and on that of the Assemblies on the 27th ulto, for which I humbly referr you to the enclos'd Minuits, etc. *Signed*, Geo. Lillington. *Endorsed*, Recd. 12th, Read 13 Sept., 1710. *Addressed*. 1 p. *Enclosed*,

295. i. Minutes of Assembly of Barbados, June 27. The House disagreed with several amendments made to the Excise Bill by the Council and proposed a conference with them, etc. *Endorsed as preceding*.  $2\frac{1}{2}$  pp. [C.O. 28, 13. Nos. 40, 40 i; and (without enclosure) 29, 12. pp. 269, 270.]

July 9. **296.** Three members of the Assembly of Barbados to the  
Barbados. Council of Trade and Plantations. The occasion of this our immediate application unto your Lordships is from want of agents to sollicit the affairs of this country in great Brittain, and from ye sense wee bear of the duty wee owe to the People wee represent, and to Genll. Assembly of this Island, who have appointed us a Committee of correspondency, and haveing within this few days been acquainted that the majority of the members of H.M. Councill here have some time agoe applied

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themselves to your Ldships., wee would not be understood by our silence to have less regard to the true intrest and wellfare of this country, and the duty wee bear to a most gracious Sovereign, then those Gentlemen; nor can wee think ourselves to have acted according to the trust the people of this Island have repos'd in us, should we neglect this opportunity of acquainting your Lordships with the reasons of our not concurring wth. the majority of the Councill in the appointment of a Treasurer. Wee must in the first place plead custome for ye Assembly's right in nominating a Treasurer in the Excise Bill, which will appear by the Minutes, and was never disputed till the time of Coll. Kendall, and the case is thus. The Assembly, upon the near expiration of the then Excise Bill, brought in a new one, and therein nominated Melitia Holder in the room of Major Richard Salter their former Treasurer, to wch. the Councill disagreeing, there was held a conference wherein the Councill desir'd the reasons of the Assemblies altering their former Treasurer, but it does not appear in ye Assembly books that they thought fit to give any, but insisted on their claim. The then Govr., Coll. Kendall, prorogued the Assembly, and at their next sitting advis'd them that when a common enemy was daily expected they should not stand upon their preveledge of altering a Treasurer, but revive the old Act, wch. within their four last sittings they did. Upon this wee must humbly observe that the then Assembly (and they could at that time almost have remembered if there had been any custome to the contrary from the settlemt. of the Island) claimed it as their right to nominate the Treasurer for ye moneys they rais'd. That it does not appear by the Assembly books that they thought themselves oblig'd to give the Councill any reasons for the altering their former Treasurer, *etc.* Neither before or since has the preveledge of ye Assembly in this case been controverted. Wee must in the next place observe, that since the Govr. with the Councill have the sole liberty of disposing the monies the Assemblies raise, and their warrt. to the Treasurer for the time being for issuing out monies for what purposes and occation they think fitt being sufficient for him so to doe, and not examinable by ye representative body of the people otherwise then whether the Treasurer has such orders, 'twill be accounted unequall that the people upon whome is raised all the monies, should not have lodged in their Representatives any manner of power of approbation or disapprobation of the conduct of a Treasurer by continuing him or removing him; wch. if the Assembly have lodged in them will be some restraint on him, that he acts according to his duty and will enable the people more chearfully to undergoe the burthen of their taxes, when they are satisfied wth. the disposall of it; wch. can never be if the appointment of a Treasurer be divided betwixt the Councill and Assembly. And since the Govs. have power of suspending any members of Councill, by wch. ye Councill (at least for a time by his constituting others in their places) will become his and not the Queens, how easy will it be for a Councill of his owne and a Treasurer (by his influence

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over the Councill) his own, to issue and dispose of wt. monies he pleases, even to the defending himself agst. the just complaints of the people wth. their own mony, and the exacting of laws most dangerous to their liberties and the trade of the Island, wch. has been most fatally experienct. in the Governmt. of Sir Bevill Granville, and in the passing that pernicious Act of Paper Credit, wn. ye yn. Treasurer made use of the publick monies in buying the votes and interest of some members of the Assembly, now of the Councill.

The last Assembly in order to repair the fortifications and discharge the publick debts on Nov. 23rd sent up a bill for raising a sum of money sufficient for that purpose. The Councill instead of concurring with ye Assembly in so just and necessary a worke, never took any notice of it, but in Feb. sent down a new bill of their own prepareing, wherein they took upon them to change the forme and method proposed by that Assembly for raising the levy, without giving them any reasons, or any signification what was become of the former levy bill. This unpresidential proceeding in a matter of soe great concern for the wellfare of this Island, in the retrieving the publick faith, was very surprizing to the Assembly, who were so carefull in avoiding any difference wth. ye Councill, that they only desir'd (March 14) to know wt. was become of ye Levy Bill, but recd. no other answer then that they had sent downe another. *Recapitulate* quarrel over Treasurer (*v.* June 11, Aug. 30 etc.) and *deny* charges against Col. Downes. If H.M. should grant such a power of takeing depositions etc. as in the case of Mr. Crow, wee doubt not but 'twill manifestly appear how much several Gentlemen of the Councill have betrayed the trust repos'd in them by H.M. and how corrupt their proceedings have been, etc., etc. *Signed*, Tho. Maxwell, Edmund Sutton, Wm. Grant. *Endorsed*, Recd. 12th, Read 13th Sept., 1710. 10 pp. [*C.O.* 28, 13. *No.* 41; and 29, 12. pp. 271-299.]

July 10.

**297.** Mr. Dummer to [*the Earl of Dartmouth*]. As I perceive the expedition goes on, and I have from the beginning desir'd to bear a part in it, I lately look't over the establishment, and I find that there's a sallary settled for a Judge Advocate and Secretry, and nobody is appointed to serve in the posts. I therefore humbly offer my service to H.M., and as I'm a native of New England and acquainted with all the persons in the Government there, may be able to promote the main intent of the expedition, and be serviceable in any emergencies that may happen. I pray your Lordship to mention it in my behalfe to-morrow in Council, that I may without delay repair to Portsmouth. *Signed*, Jer. Dummer. 2 pp. [*C.O.* 5, 10. *No.* 136.]

July 12.  
Whitehall.

**298.** Council of Trade and Plantations to the Earl of Dartmouth. Mr. John Roos, H.M. Seal-cutter, having prepared a new seal for Jamaica (*v.* July 17, 1708), we *enclose following*. *Annexed*,

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298. i. Draught of H.M. Warrant to Governor Handasyd, directing him to use the new Seal. [*C.O.* 138, 13. *pp.* 153-155; and 137, 45. *No.* 93.]

July 13.  
Whitehall.

**299.** Same to Governor Handasyd. *Acknowledge* letter of April 9, 1710. We are sorry for the heats and divisions you mention to have arisen in the Assembly in relation to their Speaker; but the prudent measures taken by you in that affair we hope has put an end to those disorders. We shall expect the Acts you mention to have been past by that Assembly, as likewise the other papers of publick proceedings which you promise us, which so soon as we shall receive we shall take into consideration and lay them before H.M. for Her royal pleasure thereupon. What you write touching recruits we have laid before H.M., and having discoursed Capt. Gardner in relation to the said recruits, that matter is put into a proper method of examination. As to the pardon for the serjant, Capt. Gardner sent it to you about 12 months ago, and a duplicate in January, one of which we hope by this time you have received. [*C.O.* 138, 13. *pp.* 155, 156.]

July 13.  
Whitehall.

**300.** Same to Governor Parke. *Acknowledge* letters of 24th and 25th Nov., 1709, March 9, 21 and 27, April 24 and May 11, 1710. We have laid before H.M. what you writ, April 24, relating to the hardships the soldiers in ye Regiment commanded by Col. Jones lye under, for want of their cloathing and pay, as likewise their petition, for H.M. directions therein, who has been pleased to refer the same to the Secry. of War, for his examination. [*C.O.* 153, 11. *p.* 58.]

July 13.  
Kensington.

**301.** H.M. Commission to Richard, Viscount Shannon, to be General and Commander in Chief of the troops which accompany the expedition designed for the reducing of Canada and other places in America, *etc.* *Copy. Countersigned,* Dartmouth. [*C.O.* 324, 32. *pp.* 5-7.]

July 13.  
Kensington.

**302.** H.M. Instructions for Richard, Viscount Shannon, "whom we have appointed Generall of all our land forces, that are to be employed in the reduction of Canada, and other places possest by the enemy in North America . . . . You shall immediately upon the receipt of these our Instructions repair on board such of our ships as shall be appointed to carry you to Boston, and after the embarkment of the troops designed for this our expedition on Canada, for which Col. Nicholson and Col. Vetch are already dispatched, to make the necessary dispositions, you are with all speed as wind and weather shall permitt to proceed to Boston aforesaid. Upon your arrival at Boston, you shall call a Councill of war to consist of four principall land officers, and four senior sea officers, the C. in C. and the General included, together with Col. Nicholson, Col. Vetch and Col. Hunter, or such of these three last mentioned as shall be present, and agree upon the most proper methods of correspondng and

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acting in concert with the forces of New York, for which our orders are already sent to that Governor, and being joined with those of New England, shall immediately make the best of your way to Quebeck and other places on the River St. Lawrence, which you shall endeavour to reduce to our obedience, and in case you succeed in your attempt on the said places, you shall constitute and leave in all, or either of them, such Governors and garrisons, as you shall judge necessary for their security, or cause any of the said places to be demolished, as shall be thought the most expedient for our service. But if upon your arrival in New England, you shall find that either our Colony there or that of New York, or both of them have failed in furnishing the respective quotas which are expected from them, you are then to determine in a Council of war whether it may be practicable to proceed on the expedition upon Canada without the assistance of the afore-said troops, and take your measures accordingly. And if, as we have no reason to doubt, our Government of New England have their appointed Quota in readinesse, but should want conveniencys for transporting and victualling the said Quota, or if our Government of New York have likewise their Quota in readinesse, but want stores and provisions for their said Quota, you shall in either or both these cases endeavour to procure for either or both of the said Quotas of the said Governments, on our credit, all or any such conveniencys of transports stores or provisions that they shall stand need of. It is also our pleasure that when you are joined by any of the provincially troops above mentioned, all the said troops shall be under your immediate command, and continue with you as long as you shall think it necessary for our service, and likewise that in all land services, the Marines shall be under your direction, and serve as is usuall at land, but not to be left in garrison. And whereas the successe of this our expedition will very much depend upon an entire good understanding between our land and sea officers; we do hereby strictly enjoin and require you on your part to maintain and cultivate such a good understanding and agreement, and to order that the soldiers under your command, shall man the ships, where there shall be occasion for them, and when they can be spared from the land service, as we have instructed our C. in C. on his part to maintain and cultivate the same good understanding and agreement, and to order the sailors under his command to assist the battallions and batterys, where there may be occasion for them, and when they can be spared from the sea service. And to the end that nothing may be wanting in us to procure that good successe which we hope for from this expedition, we do hereby empower you in concert with Col. Vetch and Col. Nicholson, as also with Col. Hunter, or such of these three as are present, to make such presents as may be necessary to engage the Indians in our service, and to draw them off from their trade, and correspondence with the French, as also to give all fitting encouragement to such of the French inhabitants as shall come over to us, or to make a timely submission, by offering them the

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continuance of all such lands, estates and priviledges, as they do at present possess under the French Government; the garrisons reduced at discretion, and inhabitants refusing to give due obedience to be transported to our prisons in New England till our further pleasure. In case it shall please God to give our arms successe in our enterprise upon Canada, and that the same be finisht early enough in the year for any other enterprize, or if the season be too farr advanced for that expedition; you are in either of these cases to consider in a Council of war to consist of the persons abovementioned, what other service may be the most practicable and advantageous, and enter upon it according to such resolutions, as shall be therein taken. But in case some accident or extraordinary resistance shall detain you in the River St. Lawrence till the Council of war shall judge the season too farr spent for any further action, you are then to sail for England, unlesse you shall receive our orders to the contrary. Whereas in order to the better carrying on of the expedition against Canada, and other places in North America, severall officers en second, and some lieutenants, and some ensigns were ordered to proceed and embark with Col. Vetch, and others in pursuance of the said service are now ordered to embark with you, as supernumerary officers or voluntiers in the regiments going under your command, we judging it just and reasonable that all fitting encouragement should be given to these officers, do therefore strictly enjoin and require you that the vacanys falling in any of the five regiments under your command be supplied with these officers, according to their ranks and former posts. You shall immediately after the Council of War to be held upon your arrival at Boston, give us notice of the resolutions which shall be taken there, and you shall likewise from time to time, as you shall have opportunity send us an account of your proceeding in the execution of these our Instructions *etc.* Signed, Anne R. 6 pp. [C.O. 5, 9. No. 64; and 324, 32. pp. 5-7; and 324, 31. pp. 1-3.]

July 14. **303.** Lord A. Hamilton to [? Lord Dartmouth]. Being inform'd yt. there are ships now fitting out for Jamaica, it may be for the Queen's service, yt. my patent be now passt, and be dispatcht, so as to be readdy to goe by this first convoy, by which the expence of sending a man of war or two for yt. purpose only will be saved, *etc.* I am inform'd yt. it is not usuall to leave any of the Governments in ye Plantations without a Cheef Governor, by which frequent inconveniencys have and may happen, but when it can't be avoyded, *etc.* My haveing my patent now can be no hardship to ye present Governor, *etc.* Signed, A. Hamilton. 3 pp. [C.O. 37, 51. No. 24.]

July 15. **304.** Mr. Dummer to Mr. Popple. Gives sailings of the *Frankland*, 100 days out and home. The merchantmen under convoy of the *Kingston* and *Portsmouth* were to saile from Jamaica June 22 last she brings nothing extraordinary but the loss of

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trade with the Spaniard. *Signed*, E. Dummer. *Endorsed*, Recd. 15 July, 1710. *Addressed*. 1 p. [C.O. 323, 7. No. 3.]

July 15.  
Whitehall.

**305.** The Earl of Dartmouth to the Council of Trade and Plantations. The Queen having been pleased to appoint the Right Honble. the Lord Archibald Hamilton to be Governor of Jamaica in the room of Brigadier Handasyd who is recall'd ; I desire you will please to direct Commission and Instructions to be prepared for his Lordp. as usual, that the same may be laid before H.M. for her approbation, *etc.* *Signed*, Dartmouth. *Endorsed*, Recd. 17th, Read 19th, July, 1710. 1 p. [C.O. 137, 9. No. 12 ; and 138, 13. p. 157.]

July 19.  
Whitehall.

**306.** Mr. Popple to John Phillips. Your letter of June 5th having been laid before the Lords Commissioners of Trade, they desire to speak with you thereupon on Friday, *etc.* [C.O. 5, 913. p. 249.]

July 19.  
Whitehall.

**307.** Council of Trade and Plantations to the Earl of Dartmouth. Enclose following. *Autograph signatures*. 1 p.

307. i. Extract of Governor Handasyd's letter, June 4. 1 p. [C.O. 138, 13. pp. 165, 166 ; and 137, 45. Nos. 94, 94 i.]

July 19.  
Whitehall.

**308.** Mr. Popple to Josiah Burchett. Encloses extract from Governor Handasyd's letter June 4, and Mr. Dickenson's of March 1st. [C.O. 138, 13. pp. 166, 167.]

July 19.  
Whitehall.

**309.** Council of Trade and Plantations to the Earl of Dartmouth. Enclose draught of a Commission for Col. Corbet to be Governor of Maryland (*v.* July 7). *Mem.* Col. Corbet not going over to Maryland, his Commission is not entred. [C.O. 5, 717. p. 178.]

July 20.  
Boston.

**310.** Sachems of the Six Nations to the Queen. We the Sachems sent from the Six Nations of Indians in the neighbourhood of New York being now (God be thanked) safely in our native Continent, return our most humbly and hearty thanks to your Majesty for all your great favours to us when in Brittain ; and acknowledge your Majesty's great care and kindness in providing so well for us in our passage over and return under [*the care?*] of the worthy Anadigarina and Quider. Wee like [*wise re*]turn our hearty thanks to your Majesty for your [*gracious?*] promise of sending us over Ministers, and hope [*you will?*] hasten them over : and that your Majesty would [*please to?*] order that a chapell and house be built for the Missi[onaries at?] the Indian Fort, and an officer and some souldier[s for the?] same, *etc.* P.S. Our desire is that Anadigarina, Col. Nicholson, send this home to the Great Queen. *Signed*, Henrick ?, and John ?, Brant Sagayonquaroug, Micholas Eta[—]. 3 Totem Marks. (—*Buffalo (?) Dog ? Tortoise*). *Edges torn*. 1 p. [C.O. 5, 898. No. 2.]

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July 21.  
Whitehall.**311.** Council of Trade and Plantations to the Earl of Dartmouth. Enclose following. *Annexed*,311. i. H.M. Commission for the Lord Archibald Hamilton to be Governor of Jamaica. *In the usual form.* Aug. 15. *Countersigned*, Wrighte. [*C.O.* 138, 13. pp. 167-188.]July 21.  
Whitehall.**312.** Council of Trade and Plantations to [?the Lord Treasurer.] Enclose following, *etc.* 2 pp.312. i. Petty expences of the Board of Trade. Lady Day --to Midsummer, 1710. 6 pp. v. *B. of T. Journal under date.* [*C.O.* 388, 76. Nos. 100-103; and 389, 36. pp. 462-464.]July 22.  
St. Jago de la  
Vega.**313.** Governor Handasyd to the Council of Trade and Plantations. *Acknowledges* letters, *etc.*, of Nov. 18, Nov. 25, Jan. 19, and April 4. I have now received 39 more recruits. I send you a copy of the Proclamation in relation to the pyrats : as to the pardon, it's exactly according to H.M. Pattent to me under the Great Seal, pardoning everything, high treason and willfull murder only excepted. There is, as I am inform'd come to this Island near 100 of 'em, as well those that call themselves officers as others ; powe [*?poor*] sorry miserable creatures, that is in want both for their backs and bellys. They say that there is severall more of them, gone on board our privateers and traiding sloops, and the whole body of them either starved with want, or dispersed somewhere or other to gett bread. As to what you say as to Laver-decruse Fleet being gott home : as soon as I receiv'd any intelligence I gave you notice of it ; which was not untill after they were gone : our privateers layd off Laver-decruse between it and the Havana untill they had like to have been lost, having neither sayles nor riging lef them, both English and dutch. As to our men of warr, it was imposible for them for to lye there in the mouth of the Gulfe, the currt. being so strong, and so vast a distance from Jamacia, and must have sayled thro' the Gulfe, so that it would have been at least 4 or 5 months before we could have expected them here again, in any case they had with no other accidents. As to other news here, wee have very little, only H.M.S. the *Crowne* has taken and sent a French prize laden with wines and drye goods ; there was also a Spanish ship cast away upon our coast, coming from Craucus laden with cocoa ; the ship with all the cocoa was lost, but most of the men's lives were saved, being native Spaniards, I have caused them to be sent to Carthegena and Porto Bello, and we are now in hopes the Spanish Trade will mend upon us, having latly had two or three sloops come in, that has made pretty good voyages, and there is 8 or 9 more going : I hartly wish them good success. I come now to request the continuance of your Lordships' favours, that in case a peace should ensue, that the Regiment under my command, nor myself may be neglected, that the Core (*corps*) may have no reason of complaint, as to

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loose their birthright upon our being employed in H.M. service at so great a distance, *etc.* The men of war to the number of five are out upon the cruse, they have on board 150 soldiers of H.M. Regt. to help to man them. I hope they will have good success, or at least prevent the French tradeing upon the coast. The men of war are pretty healthy as well as the Island, *etc.* Signed, Tho. Handasyd. *Endorsed*, Recd. 8th, Read 11th Sept., 1710. *Addressed*. 2 pp. *Enclosed*,

313. i. Governor Handasyd's Proclamation for pardoning certain pirates, under Capt. Michael, on the coast of Porto Bello, *etc.*, on condition that they return to Jamaica within 60 days and take the oaths of allegiance, *etc.* St. Jago de la Vega, Nov. 19, 1709. *Endorsed*, Recd. Sept. 8, 1710. *Copy*. 1 $\frac{3}{4}$  pp. [*C.O.* 137, 9. Nos. 18, 18 i.; and (without enclosure) 138, 13. pp. 289-292.]

July 22. **314.** Governor Handasyd to the Earl of Sunderland. I  
St. Jago de la have received by the last pacquett 39 recruits, *etc.* *Prays that*  
Vega in his regiment and himself may be remembered in case a peace  
Jamaica. should ensue, *etc.* *Repeats part of preceding.* Signed, Tho.  
Handasyd. 2 pp. [*C.O.* 37, 51. No. 25.]

July 22. **315.** Mr. Popple to Mr. Lowndes. Applies for copies of  
Whitehall. Acts of Parliament referred to in Governors' Instructions. [*C.O.*  
324, 9. pp. 442, 443.]

July 22. **316.** Lord Dartmouth to the Council of Trade and Planta-  
Whitehall. tions. H.M. having been pleased to appoint Robert Lowther  
Esq. to be Governor of Barbados in the room of Mitford Crowe  
Esq., who is recalled; I desire you will please to direct a Com-  
mission and Instructions to be prepared for him as usual, to be  
laid before H.M. *etc.* Signed, Dartmouth. *Endorsed*, Recd. 24th,  
Read 27th July, 1710. 1 p. [*C.O.* 28, 13. No. 32: and 29,  
12. p. 116.]

July 24. **317.** Governor Hunter to the Council of Trade and Planta-  
New York. tions. By a small vessel bound for Lisbon I gave your Lorps.  
notice of our arriveal here, since that time all the Palatine  
ships separated by this weather are arriv'd safe, except the  
*Herbert* frigate, where our tents and armes are, she was cast away  
on the East end of Long Island on July 7, the men are safe, but  
our goods much dammaged. We still want the *Berkley Castle*,  
which we left at Portsmouth. The poor people have been mighty  
sickly, but recover apace; we have lost above 470 of our number.  
Soon after my arriveal, I sent the Surveyor Genll. wt. some  
skilfull men to survey the lands on ye Mohaks' river, particularly  
the Skohare to which the Indians had no pretence, being Col.  
Bayard's grant, they however by the instigation of some ill  
intentioned men at first refused to suffer it to be survey'd,

1710.

upon pretence of it's having returned to them after the resumption, but have been better advis'd since, so that at this time he is actually surveying of it. These lands however I believe will be no ways fitt for the design in hands, being very good lands which here bears no pines, and lyes very remote. I shall however be able to cary it on elsewhere, for there is no want of pines, but the pine land being good for nothing, the difficulty will lye in finding such a situation as will afford good land for their settlements near the pine lands. I am in terms with some who have land on Hudson's river fitt for that purpose, which I intend to view next week in company with Mr. Bridger, who is now with me, and gives me good encouragement, tho' I have mett with some discouraging acct's. here, but after full information, I believe I shall be able at last to accomplish the great design, so I be supported in it at home. I have as I think a much more difficult task here, that is reconciling men to one another and their true interests, all I can say as yet is that they are in no worse disposition then that I found them in. I can make no judgement as yet of the settling a Revenue. Some alterations in the Commissions of the Peace and the Militia seem absolutely necessary, but none shall be made but such as are, so that your Lordps. may not be troubled with complaints, and I may have no difficulty in answering. In this as in everything else, I shall have no regards but to H.M. true interests according to the best of my capacity. There was a mistake in the transcribing of my Instructions as to the name of Mr. Prevost, his name is David, but in ye Instructions Daniel. There is another in H.M. Letter for restoreing Mr. Walters, his name is Robert. but in the letter he is called Thomas Walters, your Lorps. will I hope give directions to have them rectify'd. I have however ventur'd to swear them of the Council, the mistake being palpable, and I at a losse for a quorum without them. I have sent by this conveyance (the *Kingsale*) the Seals of the two Provinces broken in Council as I am ordred. There is a tract of land, part of the resum'd grant of Capt. Evans, called the Highlands, being about 12 miles in length along the River, mountainous and barren and incapable of improvement or of a road, and only valuable for firewood, no man will accept of any part of it under the quit-rent directed to be reserv'd, unlesse it be what is contiguous to the river, where he may with ease transport the wood, so I beg your Lorps. will be pleas'd, if you think good, to explain that part of the Instruction directing that the length of each tract of land to be hereafter granted do not extend along the banks of any river, with one exception as to that part of Evans' grant. For if the patenting of lands and increasing the quit-rents be necessary, this exception is so. One thing more. The Queen likewise directs by her Instructions that in each Patent there be a covenant on the part of the Patentee, to plant settle and effectually cultivate at least three acres of land for every fifty in three years from the date of the Patent. Most of the unpatented lands within this Province lye very much expos'd to

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the French and Indians of Canada on the frontiers, so that during the warr no settlement can with any safety be attempted. Wherefore I offer it humbly to your Lorps., if it be not necessary to apply to H.M. for leave to grant lands with a covenant to plant and settle as before in three years after the conclusion of the present warr with France, which will increase the quit-rents in the meanwhile and secure the planting of these lands in that time. As to what relates to the Indians. The Senekas suspected to be in the French interest have ever since my arriveal kept their fires burning as a sign of their continuing in the Covenant chain, and have by one of their principal Sachems endeavoured to clear themselves of that suspition. The Waganhas, a nation heretofore in the French interest, at a meeting of the Five Nations where two of our deputy's assisted, have entered into the Covenant. The French have built a stone Fort at Chamblis on the river that runs from ye Lake into the River of St. Laurence. They have had lately four ships from France, two with men and two with provisions. They have sent some small partys of their Indians towards the frontiers of New England, which I have advis'd Col. Dudley. These advices we have from our spyes. I have sent to the Five Nations to meet me at Albany the 10th of August, and have fixt our assembly to the 1st of Sept., the harvest oblidging as to that delay, and some small time being requisite toward the quieting of men's minds before they meet in ane assembly. In relation to the malversations of Mr. Peartree and the present Mayor of New York, I must refer your Lordps. to Capt. Davis and Capt. Euston's information, who are now bound for Engld. Capt. Davis declares only that the Mayor had hindred him and his Capt. from pursuing their deserters, and had threatned to clap them in prison if they offer'd at it. Peartree however was in no ways acceptable here as a Councillor, as I find the other is not as a Mayor, haveing continued so for several years. By ane Expresse from Col. Nicolson, I have just now notice of his arriveal at Boston the 17th of July. The *Berkley Castle* the last wanted Palatine ship lost company with them the 3rd of July last. *Signed*, Ro. Hunter. *Endorsed*, Reed. 13th, Read 24th Oct., 1710. *Holograph*. 6½ pp. [C.O. 5, 1049. No. 161; and 5, 1122. pp. 173-180.]

July 26. **318.** Mr. Bridger to [?the Lord Dartmouth]. *Acknowledges*  
New Yorke. Instructions concerning Palatines as in following. *Concludes*:  
I do not fear but a few years will prove that H.M. may be sufficiently supply'd hence wth. Naval Stores. The tar tree must stand two years after preparing before it can be made into tar, wch. time once sunk or over, a constant supply will follow. *Signed*, J. Bridger. *Endorsed*, R. Oct. 16. 1 p. [C.O. 5, 1091. No. 17.]

July 26. **319.** J. Bridger to [?Mr. Popple]. *Acknowledges* Instructions  
New Yorke. to assist the Governor in placing and instructing the Palatines,  
*etc.* This service is very chargeable to me, wch. I begg may

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be considered, *etc.* *Repeats preceding.* I am now going up Hudson's River in order to settle the Palatines on proper land. I am sorry their Lordships cannot support me in the seizures of the masts I have made, nor the expences I am at on that service. It is impossible for any officer to preserve H.M. intrest now everyone going into the woods in defiance and cut what they please. The Act I proposed for the preserving of all white pine or mast trees is the same with the other Act that preserves pitch pine, and there only wants the words, of all white pine and mast trees, before or after the pitch pine, the penalty to be £100 sterl. for every tree cut, fell'd or destroyed according to the words of the Charter, only the forfeiture to be one moiety to H.M., the other to the Informer that shall sue for the same. *Signed, J. Bridger. Endorsed, Recd. 13th, Read 24th Oct., 1710. 1½ pp. [C.O. 5, 1049. No. 162; and 5, 1122. pp. 180-182.]*

July 26.

**320.** Petition of Merchants trading to Jamaica to the Queen. Pray that Major John Blair, inhabitant of Jamaica, being a person of considerable estate there, and of great integrity and loyalty, may be appointed to the Council. *Subscribed,*

320. i. H.M. refers preceding to the Council of Trade and Plantations for their opinion. *Signed, Dartmouth. The whole endorsed, Recd. 2nd, Read 4th Aug., 1710. 1 p. [C.O. 137, 9. No. 14; and 138, 13. pp. 188, 189.]*

July 27.  
Whitehall.

**321.** Council of Trade and Plantations to Lord Dartmouth. Enclose following. *Annexed,*

321. i. Draught of Commission for Robert Lowther to be Governor of Barbados. *In the usual form. [C.O. 29, 12. pp. 116-132.]*

July 28.  
Whitehall.

**322.** Lord Dartmouth to the Council of Trade and Plantations. Encloses following. H.M. would have you cause an Article to be inserted in the Instructions you are now preparing for Governor Lowther, pursuant to the directions in this order, and in the most effectual terms, whereby the persons mentioned in this order may receive the full benefit of H.M. gracious intentions to them. *Signed, Dartmouth. Endorsed, Recd. July 31st, Read Augt. 1st, 1710. 1 p. Enclosed,*

322. i. Copy of Order in Council of Feb. 18, 1709 (10) (*q.v.*) upon the petitions of George Gordon and Alexander Skeen. *[C.O. 28, 13. Nos. 33, 33 i.; and 29, 12. pp. 132-134.]*

July 28.  
New York.

**323.** Governor Hunter [*to Lord Dartmouth*]. H.M. was pleased to direct me to see that justice was done to my Lady Lovelace, and spoke very feelingly of that Lady's affairs, when I had the honor to kisse her hand for leave. The case stands thus. By one Act of Assembly in the Jerseys there was £800 given to the Lord Lovelace, after his death there was another Act of Assembly past giving £500 of that summ to Col. Ingoldsby,

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the then Lt. Govr., £100 for contingencys, and £200 only to the Lady Lovelace. I suppose by this time both these Acts are laid before H.M., and I make no doubt of H.M. approving the first and disapproving the later, but the difficulty will be to gett back the money, Coll. Ingoldsby having already toucht it, and his necessitous circumstances will hardly allow him to refund, as I am inform'd. I wait H.M. orders in that matter, *etc.* P.S. I wrote at large by the *Kingsale*; this comes by the *Maidstone*. *Signed*, Ro. Hunter. 2 pp. [C.O. 5, 1091. No. 18.]

July 29.  
Antigua.

**324.** Governor Parke to the Earl of Sunderland. I hope I shall by a vessell which I shall dispatch after the Fleet to St. Christopher's send your Lordship the depositions taken on my part to the complainants against me to this day. The deposition inclosed will shew your Lordship what artifices are used against me, and how they made it impossible for me either to come home with the Fleet, as I have earnestly endeavoured, or to affix the seal to the depositions taken either for or against me. But as the reasons there gave 'em is an abstract of our proceedings, I shall trouble your Lordship no further till I send you my defence, and I shall as soon as that is finished, come over in the first man of warr according to H.M. direction. *Signed*, Daniel Parke. *Endorsed*, R. Oct. 12. 1 p. *Enclosed*,

324. i. Copy of paper read by Andrew Boulton on behalf of Governor Parke, Antigua, July 29, 1710 to Col. Edward Byam, Mr. Crump and other complainants when they desired that the Broad Seal might then be affixed to their papers. (*v. following letter*). Deposition confirming preceding. *Signed*, Richd. Jardine, Philip Walsh, Wm. Martin, J. Gallagher, Luke Walsh, Jno. Birmingham, Thomas Morris. J. Godsill, Andrew Boulton, Tho. Long, H. Pember, Duncan Dee, Benj. Eversden. 8 pp.
324. ii. Deposition by the Officers of Col. James Jones' Regiment, St. Johns, Antigua, June 22. 1710. Coll. Jones sent the Adjutant to order Charles Bowes, Serjant of Grannideers, to be brought to his tryal on a complaint prefer'd against him for insulting and threatening Charles Kallahane, planter, on June 14, 1710, in the Court House of St. Johns where depositions were there takeing against H.E. General Parke, upon which Kallahane went out of the Court House, tho' he then attended there as an evidence against General Parke, and was afterwards called and sworn accordingly. The General refused to allow Bowes to be brought before the officers, declaring to the Adjutant that since Col. Jones did not try him the day after his commitment, he would not have him tried till there were more officers in the Island, there being now too few. *Signed* (by all the officers on the Island excepting Capt. Thomas Newell), Hen. Hughes, Phil. Everard, Edward Mann, Richd. Worthington, Char. Lyndon, Ja. Jones, Peter Buor, Vall. Morris, Jo. Rokeby. 1 p.

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324. iii. Deposition of John Otto Bayer, Antigua, July 7, 1710. On Sept. 5th, Capt. Phillip Welsh, of Col. Jones' Regiment, with a band of soldiers searched deponent's house at night under pretence to look for the person that had shott the Generall, and then hurried him to towne betwixt the soldiers, to the house of Mr. Thomas Gateward, J.P., where he was released, *etc.* *Signed*, Jno. Otto Bayer. 1 *p.*
324. iv. Deposition of Nathaniel Marchant, Antigua, July 10, 1710. On Sept. 10th deponent was in the roome where the wife of Capt. James Barter then lay sick in bed, when Ensigne Luke Walsh knocked and came into the roome and looked about him and went out, *etc.* *Signed*, Nath. Marchant.  $\frac{3}{4}$  *p.*
324. v. Deposition of William Williams, Antigua, July 10, 1710. In the latter end of Aug. or beginning of Sept. 1709. Standing at the door of Richard Denbow of the town of St. Johns, taverne keeper, deponent saw Capt. Phillip Walsh strike Capt. Bastian Otto Bayer over the head and Bayer strike Walsh. Ensigne Luke Walsh, Michael Ayon, Humphrey Osborne, and Capt. John Wickham came up, and Luke Walsh struck Bayer with his sword over the head. Bayer had only a small stick in his hand. *Signed*, Wm. Williams.  $\frac{3}{4}$  *p.*
324. vi. Deposition of John Strong, Antigua, July 10, 1710. On Nov. 18, 1709, Capt. Philip Walch, in company with John Bermingham and Michael Ayons, Provost Marshal, beat deponent because as he declared he had kept him waiting in the Custom house boat, *etc.* *Signed*, John Strong.  $\frac{3}{4}$  *p.*
324. vii. Deposition of Jacob Le Roux, Antigua, July 10, 1710. Corroborates No. v. *Signed*, Jacob Le Roux.  $\frac{3}{4}$  *p.*
324. viii. Deposition of James Barter, Antigua, July 10, 1710. On Sept. 10 last, Mr. Luke Walsh came to deponent's house in the evening with Capt. Humphrey Osborne, John Osborne, Michael Ayon, Duncan Dee and Dennis Macklemoor, and lighting from his horse, asked what centinell that was in the path. Deponent said he had placed no centinell, to which Ensigne Walsh replied "han't you, I hope you have one the less, for I have shott a negroe below yonder." He forced his way into deponent's wife's chamber and looked about, not saying what for, nor shewing any power to act. On being told that nobody had gone from that house that day, he called deponent a liar, *etc.* *Signed*, James Barter.  $1\frac{1}{4}$  *pp.*
324. ix. Deposition of Archibald Campbell, Antigua, July 12, 1710. In June, 1709, deponent was in company with Thomas Kerby, Secy. of Antigua, when Capt. Phillip Walsh advanced from the tavern of Richard Denbow with a drawn sword and struck Kerby over the head saying "You are one of them." Kerby was unarmed,

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but there was a challenge given and a duell betwixt them next morning, as deponent heard. *Signed*, Arch. Campbell. 1 p.

324. x. Deposition of Samuel Cozens, master of the *Offly* frigate, Antigua, July 12, 1710. On Sept. 18, 1708, deponent was at the house of Edward Chester Senr. of the town of St. Johns merchant in company with a great many gent., and continued there a great part of the afternoon; he observed none of the company guilty of any riott, breach of the peace or good behaviour, but that they were merily drinking a bottle, particularly drinking the Queen's health, *etc.* On Sept. 19 he saw Col. Thomas Morris come into the town of Parham, and heard him declare that he had been mightily fatigued, that he had got nine of the doggs in goal, and would never rest till he had filled the goal as full of the doggs as it could hold, and that he would be a second Judge Jeffrys, hang them first and judge them afterwards. On May 8, 1710, at William Martin's tavern in St. John's Capt. Phillip Walsh, Ensigne Walsh and two or three other officers of Col. Jones' Regiment drew on him and threatened to send him to the devil if he was against the Generall, *etc.* *Signed*, Samuella Cozens.  $1\frac{1}{4}$  pp.

324. xi. Deposition of Joseph Redhead, Carpenter, Antigua, July 12, 1710. 2 Oct. last when deponent was playing at lanskenett at the house of William Grantham, tavern keeper in Parham, Michael Ayon and Capt. Phillip Walsh *etc.* assaulted him and drew upon him. Walsh would have murdered him, had not John Bermingham interposed (*v.* xvi.) Ayon drank to the damnation of those that had signed against the Generall and threw his mugg at deponent, *etc.* *Signed*, Joseph Redhead. 1 p.

324. xii. Deposition of Joseph Adams, Merchant of St. Johns, Antigua, July 14, 1710. In Sept. 1709 deponent was going upstairs in the house of Caleb Lasher of the town of St. Johns, tavernkeeper, when Ensign Luke Walsh pulled him down and beat him, till Mr. Cæsar Rodeny interposed. Deponent asking why he used him after that manner, he replied "Damn you and your articles too," *etc.* *Signed*, Jos. Adams.  $\frac{3}{4}$  p.

324. xiii. Deposition of Richard Smith, Antigua, July 14, 1710. Bastian Otto Bayer, told deponent that he had been assaulted by Capt. and Ensign Walsh, who asked him his reason for not pulling off his hatt to Generall Parke when he meet him, to which he replied that it was in the night, and soe he did not know the Generall from another man. *Signed*, Richard Smith. 1 p.

324. xiv. Deposition of Elias Foster, soldier, Antigua, July 14, 1710. Acting under orders from Governor Parke, deponent in June last seized 85 baggs and one hogshhead

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- of cacao at the house of Edward Chester, senr. *Signed*, Elias Foster. 1 p.
324. xv. Deposition of Joseph Adams, Antigua, July 14, 1710. On April 3, 1709, Michael Ayon, Provost Marshall, entered the house of Barry Tankerd with 7 or 8 soldiers and commanded deponent and his company to aid him in looking for a malefactor, Barry Tankerd. Some of the company answered, that if he came with a legal writ and civil authority, they were willing to assist him, but that they would be noe wise instrumentall in levying war upon the Queen's subjects. Ayon refused to shew his authority, and ordered his soldiers to search the house. Centinells were set about the house, whom Ensigne John Osborne ordered to fire upon white or black that they should see with armes. All which behaviour soe freightned Tankerd's wife and daughter that they left the house, etc. *Signed*, Jos. Adams. 1 p.
324. xvi. Deposition of Samuel Lightfoot, Carpenter, Antigua. Dec. last he saw Redhead (*v. No. xi.*), closed with Ayon under him. John Cunningham [*? Bermingham No. xi.*], interposed on his behalf, explaining to Capt. Walsh's company that Redhead was in drink; they thereupon lasht and beat Cunningham on the face. *Signed*, Saml. Lightfoot. 1½ pp.
324. xvii. Deposition of Abell Baldwin, Chirurgeon to the *Offly* frigate, Antigua, July 14, 1710. *Corroborates* last paragraph of *No. x.* *Signed*, Abell Baldwin. 1½ pp.
324. xviii. Deposition of John Russell, Mariner, Antigua, July 14, 1710. As to one Bishop abusing one Eliz. Hasting. *v* following. *Signed*, Jno. Russell. 1 p.
324. xix. Deposition of Eliz. Hastings, Antigua, July 14, 1710. She was insulted on several occasions by soldiers, who swore at her etc. *Signed*, Eliz. Hastings. 1 p.
324. xx. Deposition of Capt. Barnard Whalley, Col. James Jones, Rev. Philips Johnson, Chaplain, Lt. Geyrveyes Gryles, Lt. Philip Everard and Thomas Ridley, Chyrurgeon, of Col. Jones' regiment. Nevis, Aug. 2, 1710. In Sept. 1709 deponents dined at the house of Alexander Langden in Charles Town, in company with Col. James Jones and Duncan Dee. Col. Jones drunk a health to all the gentlemen of the Calves Head Clubb, saying it was their healths that the Generall and his party called Calves' heads, for that was the tytle the party went by that was agt. the General. Said Col. likewise drunk a health to the speedy removeall of D.P. Whalley, Johnson and Ridley heard Col. Jones say that it was a barbarous action for any person to shoote the General after the manner he was shott, etc. *Signed*, Barnard Whalley, Philips Johnson, G. Gryles, Phil. Everard, Tho. Ridley. 1½ pp.

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324. xxi. Deposition of Lt. Gerveys Gryles, Nevis, Aug. 2, 1710. In 1708 Richard Atkinson, a soldier in his company, was discharged by Col. Jones, but entered on the rolls after his discharge. Deponent heard Col. Jones tell Lt. Philip Walsh to leave Atkins out of the muster rolls. *Signed*, G. Gryles.  $\frac{1}{2}$  p.
324. xxii. Deposition of Mrs. Mary Plunkett. Mountseratt, Dec. 28, 1709. On Dec. 20, at night, deponent heard two or three blowes given and immediately Mrs. Martin French ran into her chamber followed by Lt. Philip Everard with his sword drawn, who told her to send out yt. raskall (meaning Mr. French) yt. was in her chamber and give him a pistoll. Deponant answered yt. shee had noe pistoll, and that her husband was not at home, and desired not to be disturbed, upon which Mr. Andrew Power came in and desired him to be quiett, at which he went out of the house and ordered the guard to secure the rascall that was in Mr. Plunkett's house, meaning Mr. French. Deponent desired Mr. French to break the barrs of a back window of her chamber and that way to escape, *etc.*  $\frac{3}{4}$  p.
324. xxiii. Deposition of Martin French. Mountseratt, July 28, 1710. Ensign Luke Walsh with a file of muskietiers arrested deponent at a tavern. The Governor ordered his discharge. *Signed*, Martin French.  $\frac{1}{2}$  p.
324. xxiv. Deposition of Martin French, Mountseratt, July 28, 1710. Lt. Phillip Walsh and Phillip Everard came in disguise with soldiers clothes and musquets to deponent's house at an unseasonable time of the neight, and made a drummer beat Round heded Cockels Com Dick for an hour. Several times before the said officers ordered the drums to beat the same about the town at very unseasonable times of the night to the great disquiet of most of the town. *Signed*, Martin French.  $\frac{1}{2}$  p.
324. xxv. Deposition of Sygismond Cooper, Mountserratt, July 28, 1710. On July 29, 1709, deponent kept a tavern in Plymouth. There were several gentlemen drinking a glass of wine in his house and singing harmless songs, when Ensign Luke Walsh came to the door with a drummer and beat round about Cockolds for a considerable time, at which the company being very much incommoded, ordered deponent to shut the door. Walsh asked who dared to shut any door against him and drew his sword offering to stick his servant. Later Walsh drew his sword upon Capt. Hodges and wounded him, and then coming into the room with a drawn sword and pistoll swore he would kill six of the company, and that he would have the heart's blood of one Capt. Fox, agent of the Island. *Signed*, Sygismond Cooper. 1 p.
324. xxvi. Deposition of Edward Troward, Mountserratt, July 28, 1710. On Nov. 11, 1709, Capt. Walsh

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- approached deponent in the shop of John Barbottaine and after asking why he gave himself the liberty to talk of the General, fell upon him and beat him, *etc.* *Signed*, Edward Troward.  $\frac{3}{4}$  p.
324. xxvii. Deposition of Andrew Power, Mountseratt, July 28, 1710. On Dec. 20, 1709, Lt. Everard beat Martin French over the head and chased him into Mr. Edward Plunkett's house *etc.* v. xxii. *Signed*, Andrew Power. 1 p.
324. xxviii. Deposition of Sygismond Cooper, Mountserratt, July 28, 1710. About March 17 last Governor Parke arrived at Montserrat with Dr. McKenney, Col. Watkins, Capt. Painter, Mr. Cockron and Capt. John Duer, who were chosen representatives for Antigua to serve at the General Assembly at St. Christophers, to which place they were then summoned. Deponent went to the house of Mrs. Mary Norton, tavern keeper, to pay his respects to them, when Capt. Phillip Walsh came to the door and abused him for "keeping company with those Calves heads" *etc.* *Signed*, Sygismond Cooper.  $\frac{3}{4}$  p.
324. xxix. Deposition of Samuel Finch, Mountserratt, July 28, 1710. On July 30th last deponent was living with James Bunyard when Luke Welch came in. Deponent said, You have given Mr. Cooper an ugly cutt. He replied that he designed to cutt his nose off, but mist his stroke, and that he was resolved to have his life, *etc.* *Signed*, Sa. Finch.  $\frac{3}{4}$  p.
324. xxx. Depositions of undersigned, Antigua, July 29, 1710. They attended the Governor this day and desired the Broad Seal to be affixed to their papers. Andrew Boulton showed them some depositions taken on the Governor's behalf, and read a paper stating that he was willing to affix the seals interchangeably as soon as the Justices had read and attested his copies, *etc.* *Signed*, Richd. Jardine, Wm. Martin, Jno. Gallagher, Jo. Bermingham, Thomas Morris, James Godsell, Duncan Dee, Phill. Walsh, B. Eversden, Luke Walsh, Andrew Boulton, Thomas Long, H. Pember. 1 p.
324. xxxi. Paper read by Mr. Boulton on behalf of Governor Parke, *referred to in preceding.* *Signed*, Andrew Boulton. *Copy.* 5 pp.
324. xxxii. Deposition of James Rawleigh, St. Christopher's, July 29, 1710. On July 28 deponent was sent by the General about 3 p.m. to Col. Edward Byam and Nathaniel Crump, the Justices that took the affidavits for and against General Parke, to desire they would go and examine the affidavits taken on his behalfe, which was the time appointed by themselves through Richard Oglethorp, which Justices being at Mr. Nevin's house, Col. Byam answered that from the time he left off takeing affidavits yesterday, he examined affidavits on com-

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plainants' behalf until 8 p.m., and began again this morning and not yet done. He would let the General know when he had done, and then would examine his. They did not do so that night. Next morning at ten a clock which day the Fleet was to sail, deponent went in search of Col. Byam but could not find him. In the afternoon he said that as soon as he had taken Mr. Jones' deposition, he would meet him at the coffee-house to examine the affidavits, but he went instead to the Governor's house with complainants and their affidavits to desire the Broad Seal. *Signed*, James Rawleigh.  $1\frac{1}{4}$  pp. [C.O. 152, 42. Nos. 25, 25 i.-xxxii; and (duplicate of covering letter) 27.]

July 31.  
Kensington.

**325.** Order of Queen in Council. Approving Governor Lord A. Hamilton's Commission (July 21) which is to be prepared for H.M. Signature, *etc.* The like orders for Robert Lowther to be Governor of Barbados, and John Corbett to be Governor of Maryland. *Signed*, John Povey. *Endorsed*, Reed 4th, Read 7th Sept., 1710.  $\frac{3}{4}$  p. [C.O. 137, 9. No. 16; and 138, 13. p. 285; and 5, 11. Nos. 49, 50.]

July 31.  
Whitehall.

**326.** Lord Dartmouth to the Council of Trade and Plantations. H.M. would have you enquire into the allegations contained in the enclosed Memorial, and report the same as they shall appear to you, together with your opinion what may be a reasonable consideration for the Queen to give Mr. Penn upon the surrender of his Government, as soon as conveniently may be. *Signed*, Dartmouth. *Endorsed*, Reed. Read Oct. 31, 1710. 1 p. *Enclosed*,

326. i. The Memorial of William Penn, Proprietor and Governor of Pennsylvania, in relation to his Government. The settlement of Colonies having in all ages been accounted a very great advantage to the Governments from whence they were derived, this Kingdom has thought it her particular intrest, to plant a large number of them in foreign parts, tho' with great hazard and charge, from whence they have received a vast increase of power and wealth by their Trade. The said William Penn, by his indefatigable endeavours, and intrest in his Friends, with a great expence to the sensible decay of his partimonial estate, undertook near 30 years ago, and has since compleated the settlement of a considerable Colony, in that tract of land in America granted him by King Charles II, and from an unhospitable wilderness, has raised it to a flourishing country, without the least charge to the Crown of this Realm, from whence considerable advantages have accrued to the Kingdom, as well by the constant consumption of its manufactures and improvement of navigation, as by the increase of duties paid here on goods from thence, which duties have already amounted, in one year, to above £10,000.

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The motives that induced the King to grant this Country to the said William Penn, with all necessary powers for the well governing thereof, were not only from an inclination to promote an undertaking so laudable in itself, and advantageous to the Publick, but also the consideration of his Father's services, as is at large expressed in his Letters Patents, and further, that at that time there was due to the said William Penn from the Crown, for his Father's disbursements in the Victualling Office, and interest thereon, the sum of £16,000. of which he never received one peny. And what principally engaged the said William Penn in so difficult and hazardous an enterprize, besides his desire of promoting so great a publick good, was the hopes he conceived, that he and his posterity might there enjoy a quiet retiremt. guarded with such an authority as might render their lives more comfortable and easy. But instead of this, having twice transported himself thither, in hopes of this enjoyment, he had those attacks made upon him, that obliged him as often to return, after a very short stay there, to defend his interest; and further, he has at other times almost continually (notwithstanding his entire compliance with the Laws of this Kingdom, relating to that settlement) met with such disturbances, from the uneasiness some have been under, upon the account of Proprietary Governments, that his fatigues and expence have become unsupportable to him; and it has been so fully received by many, that such Governments are inconvenient to trade, and inconsistent with the dignity of the Crown, that he is no longer willing to contend, but will surrender those powers of Government with which he is invested, and deliver them entirely into the hands of the Queen, provided he can receive such a reasonable consideration; as may appear due to his merrits in settling the said Colony, and be secured in the enjoyment of what will be necessarily due to himself, and his friends who are now immovably fixed there. In consideration of this surrender he with humility conceives, that he ought to have such a sum, as may reimburse him of a reasonable part of his past expences, and relieve him from the necessities, that his engagement in that Province has plunged him into, which sum may be raised out of any such fund, as shall be found most convenient. And whereas he was particularly at a very great expence and trouble in asserting the right of the then Duke of York to a tract of land on the lower parts of Delaware Bay, against the Lord Baltimore, the principal part of which tract the said Duke had granted to William Penn, and afterwards, when upon the Throne did actually give him the whole; but his sudden removal prevented the full execution of the grant, intended for a more

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intire confirmation thereof, with all necessary powers of Government ; the said William Penn humbly craves that this affair may be fully settled and confirmed. He doubts not but as that Colony was at first principally settled and improved by men, who being for conscience sake, unable in their native country, where in other respects they lived in credit and plenty, to comply with some things that the Laws required of them, did in hopes of greater liberty and ease, transport themselves thither, and upon that foundation are fixed with their families there : he doubts not therefore but it will be found necessary as well as reasonable, to indulge these People at all times, in such things as they never could nor now can either here or there comply with, while they are known in all other regards to be peaceable, industrious and obedient to Governmt. as any other subjects whatsoever. And as he proposes his Posterity shall fix themselves there, he hopes he may modestly crave some particular mark of respect to be continued to his family, for distinguishing them above the rank of those who have planted under him : as that the Proprietor for the time being may always have a place, and be the first in the Council there, or receive some other suitable instance of the regard due to them, in remembrance of him that first made it a Colony. These heads he humbly offers to the consideration of the Queen and her Ministry, and for the more speedy dispatch of the affair, requests that persons may be appointed to adjust the whole matter, according as his proposals shall be approved of. 3 pp. [C.O. 5, 1264. Nos. 102, 102 i. ; and 5, 1292. pp. 224-229.]

July 31.  
Whitehall.

**327.** Lord Dartmouth to Lt.-Governor Spotswood. I take the first opportunity that offers to acquaint you that H.M. having been pleased to appoint me Secretary of State in the room of my Lord Sunderland, and to assign me the Southern Province with the West Indies, you are to transmitt to me from time to time an account of what may occur in your parts *etc.* relating to H.M. service and the benefit of the Government under your care, whereupon I will send you H.M. pleasure, *etc., etc.* Signed, Dartmouth. *Like letters sent to Col. Dudley, Col. Hunter, and to the President and Council of Maryland.* [C.O. 324, 32. p. 11 ; and 324, 31. pp. 3, 4.]

[ ? July.]

**328.** Col. Jones to the Earl of Sunderland. *Complains of the injustices and hardships dealt to him and his regiment by General Parke. Since my first arrivall to the Leeward Islands, he found me unapplicable to all his mean unjustifiable veiws, and therefore stuck at nothing to injure me in intrest and reputation, and to that purpose has pickt out a sett of men, both officers and soldiers, abandon'd to all his black and gloomy designes, whom he has us'd as tools to trample under foot all*

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discipline, *etc.* So far has he carried his pernicious views of this kind, that I must in reason expect that in a little time my regimt. will look more like a herd of banditti then a body of regular troops, *etc.* I am to be made an anvil of affronts by a man so notably distinguished for ye worst of characters. He has carried his insolence so farr yt. upon receipt of ye most mannerly and dutifull messages to call me scoundrell and lyar. He takes upon him to serve his own purposes, not onely to do ye duty of Col. of the Regimt., but of every other officer, even to that of a sarjt., so that I can no longer consider myself accountable for ye miscarriages of my regimt., ye ruin whereof is onely to be prevented by sending home an officer to represent ye ruinous state of ye same, and to yt. purpose have chosen ye bearer hereof, Capt. Valentine Morris, who is likewise to take care that my regimt. be recruited in ye most speedy and effectuall manner, *etc., etc., Signed, Ja. Jones.* 2 pp. [C.O. 152, 42. No. 29.]

[Aug. 1.]

**329.** John Phillips to the Council of Trade and Plantations. John Bridger, Surveyor of H.M. woods in America, is guilty of bribery and corruption, and making devastation of the woods he was sent to preserve, by selling liberty to the common people to cut what trees they please, and for reward permitts some to send royall masts out of New England without permission from H.M., particularly £50 for a ship load of such masts was lately paid him by a person now in England. *Refers for information to James Oliver, a mercht. of New England, to be heard of at the Sun coffee house in Threadneedle Street; James Collins of London, mercht.; and Henry Newman, a gentleman of New England, who lodges over the staircase at Whitehall, etc. Signature torn off. Endorsed, Recd. Read Aug. 1st, 1710.* 1 p. [C.O. 5, 865. No. 48; and 5, 913. pp. 250, 251.]

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Antigua.

**330.** Governor Pärke to the Council of Trade and Plantations. I have (*cf.* July 29) onely time to informe your Lordships that Mr. Nevine and the complainants have finished the affidavitts as villanously as they began their complaint, the Queen's Order directs three dayes notice to be given that each party might be there to cross examine, yet they took their affidavitts at the rest of the Islands, at the same time they took them here, and tho' they were to take them publickly, yett they have taken severall privately, so that I can't so much as learne what they are, they trifled away the time after such a manner, that I did not think they had any designe of sending any by this man of warr, they chose for the Justices one Crump that is a leading man among the complainants, and has subscribed the Articles, and Coll. Byam and Coll. Codrington, both these were formerly my friends and have given it under their hands, since the complaint, that I had behaved myself like a dilligent good Governor, and had not been guilty of any male-administration, but Col. Byam had a suit depending in Chancery, and made a decree against him, and Col. Codrington counterfeited my hand and false indorsed a cocket, for which I reprimanded him, so these two were made my enemies,

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which was the cause they were chose to take the affidavitts. I shall by the packet take depositions relating to the whole proceedings, which will informe your Lordshipps of their partiality, and for a finishing stroke they refused to examine what depositions I had taken till after the Fleet sayled, and yett impudently demanded the seall to theirs, tho' they never brought them till a few hours before they went on board, yett the Order says copies shall be given interchangably and then the seall fixt, which I offered tho' I had above fifty affidavitts to take, they gave me their last Articles but the afternoone before they went on board, so that it was impossible for me to take affidavitts to answer, for by the Order three dayes notice is to be given before any are to be taken, they went to severall Majestrates to take the Justices affidavitts, that they had examined all their depositions that they were true coppys, all the Majestrates refused them, because they no ways had obeyed the Queen's order, but at last they went to the Lieut. Governor and bullyed him to take their affidavitts, who also lett Mr. Nevin put his own seall to the labell so that he may when he pleases ad what he thinks fitt to them. I am at the charge of a vessell to send this after the Fleet, with such affidavitts as I could perswade those Justices to examine and gett ready. I hope by the packett to send the rest, and when that is done if any one impartial man does condemn me I will be content to loose my head, and when I have finished my answer, I will pursuant to the Queen's Order come in the first man of warr, I desire to be fairly heard, and if I am found guilty let me be punished, if innocent then I ought to be rewarded, and those assassinating villains (that have made all this clamour without any just cause) punished, and I hope the English Parliament will make such lawes for them as will make them honest and pay their debts, for I am very sure whoever is my successor, if he be an honest man and has regard to his Instructions, and maintains the Queen's Prerogative, keeps them from clandestine trade, and endeavours to make wholesome laws will have the same fate I have had. P.S. I begg your Lordshipps wou'd deliver the papers and affidavitts to my Agent (Mr. Perry) not knowing how to send them otherwise safe than by sending them to your Lordshipps. *Signed*, Daniel Parke. *Endorsed*, Recd. 11th, Read 26th Oct., 1710. 3 pp. [C.O. 152, 9. No. 32; and 153, 11. pp. 70-73.]

Aug. 1. **331.** Same to the Earl of Sunderland. *Duplicate of preceding.*  
Antigua. *Signed*, Daniel Parke. *Endorsed*, R. Oct. 16. 3 pp. [C.O. 152, 42. No. 28.]

Aug. 1. **332.** Col. Lillington, President of the Council of Barbados, to  
Barbados. the Council of Trade and Plantations. *Refers* to letters of June 11 and 25, and July 9. *Continues* :—This is to accompany the inclosed papers by H.M.S. *Greenwich*. This Island still remains under the ill effects of the dispute between the Councill and Assembly in the appointment of a Treasurer, by which the Government is without any Revenue to provide for any emergencies. I pray your Lordsp's. favour in the quickest dispatch of H.M. pleasure

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and determination of this controversie, and that it may soe settle their severall pretensions that they may not for the future produce such mischievous and dangerous consequences. The Councill have ordered the severall deputies to attend att their next sitting when the merritts of the enclosed memorial by Tho. Hodges, (No. iv.) will be examined. The papers which I recd. from your Lordships June 22 relateing to the illegall trade to Coresaw, I delivered to the Attorney Generall, who has promist [that] as soon as the copy of proceedings in the Admiralty can be taken out, to give me an accott. in writing of what has allready been done in that matter, and what may be fitt to be done for the future, which I intend to remitt to your Lordships by the next conveyance. *Signed*, G. Lillington. *Endorsed*, Recd. 19th, Read 26th Oct., 1710. 2 pp. *Enclosed*,

332. i. List of mills and negroes in Barbados. Mills 409. Negroes, 52,337. *Signed*, G. Lillington. *Endorsed*, Recd. Oct. 19, 1710. 1 p.

332. ii. List of Christenings and Burials, Jan. 1st to July 31st, 1710. Christenings, 201. Burials, 140. *Signed and endorsed as preceding*. 1 p.

332. iii. List of persons qualified to serve on H.M. Council :—Col. Saml. Barwick, Jas. Aynsworth, Brigr. Tho. Maxwell, Edmond Sutton, Col. Thos. Horne, Guy Ball, Coll. John Lucie Blackman, Col. Fra. Bond, Col. Thos. Maycock, Richd. Worsham, Jos. Hole, Capt. John Downes. *Signed and endorsed as preceding*. 1 p.

332. iv. Memorial from Mr. Hodges, Attorney General of Barbados, to the President and Council, relating to the behaviour of the Provost Marshal by his deputies. *Endorsed as preceding*. *Copy*. 14 pp.

332. v. Table of customary fees for the Secretary's Office.  $2\frac{1}{2}$  pp.

332. vi. Table of fees in Chancery.  $\frac{3}{4}$  p.

332. vii. Table of fees of H.M. Remembrancer in the Court of Exchequer.  $1\frac{1}{2}$  pp.

332. viii. Table of fees of Provost Marshal and Serjeant at arms. 1 p.

332. ix. Duplicate of preceding.

332. x. Table of fees of Clerks of Courts of Common Pleas.  $1\frac{3}{4}$  pp.

332. xi. Table of the fees of the Register of the Court of Admiralty.  $\frac{3}{4}$  p.

332. xii. Table of the fees of the Marshals of the Courts of Common Pleas.  $1\frac{1}{2}$  pp.

332. xiii. Table of the fees of the Clerk of the Crown and Peace. 2 pp.

332. xiv. List of causes depending in the several Courts of Barbados in July, Aug., 1710. 30 pp.

332. xv. Account of stores in the Magazine at Barbados July 1, 1710. *Endorsed*, Recd. Oct. 19, 1710. 1 p.

332. xvi. Naval Officer's List of Ships in Barbados, *etc.* Dec. 25, 1709—March 25, 1710, for the Plantations

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only. Ships, 17. *Endorsed as preceding.*  $\frac{1}{2}$  p.

332. xvii. Naval Officer's List of Ships *etc.* in Barbados, March 25 to June 25, 1710. *Ships*, for Britain, 12, for Plantations, 41. *Sugar*; Britain, 3351 hogsheads, 402 tierces, 397 barrels. Plantations 19*h.* 14*t.* 481*b.* *Cotton*; Britain 335 bags, Plantations 29. *Ginger*; Britain, 931 bags. *Rum*; Britain 134 hds., 2 tierces 32 barrels; Plantations, 1718 hds., 1046*t.*, 702*b.* *Molosses*; Britain, 68 hds.; Plantations, 425 hds., 53 tierces, 94 barrels. *Limejuice*; Britain, 3 hds., 2 tierces, Plantations, 14 barrels. *White sugar*; Britain, 33 hds., 37 tierces, 18 barrels; Plantations 33 hds., 37*t.*, 18*b.* Goards Alloes, Britain 122. *Same endorsement.* 1 p. [*C.O.* 28, 13. Nos. 45, 45 i.-xvii; and (with enclosures xvi. and xvii. only), 29, 12. pp. 306-313.]

Aug. 1.  
Barbados.

333. Col. Lillington to the Earl of Sunderland. The inclosed is a list of the disposall of the French prisoners on board ye severall ships bound for Europe under convoy of H.M.S. *Greenwich*, *Burlington* and *Hector*, whom ye severall Captains have engaged to deliver at ye prison of ye first port they shall touch at in Great Brittain, for which I have their rects. *Signed*, G. Lillington. *Endorsed*, R. Oct. 21, 1710. *Addressed.* 1 p. [*C.O.* 28, 43. No. 43.]

Aug. 4.  
Kensington.

334. H.M. Commission to John Pearne, to be Lt. Governor of Montserrat, with such powers and directions as are exprest in our Commission and Instructions to the Governor of the Leeward Islands, whose orders you are from time to time to observe. *Countersigned*, Dartmouth. [*C.O.* 324, 32. pp. 11, 12.]

Aug. 5.  
Boston.

335. Lt. Governor Usher to the Council of Trade and Plantations. Lastt year gave accott. Assembly of seven years standing would nott raise money for paying just debts, butt raise for Agency; that Assembly being dissolved, a new one chosen, men of loialty, of estates, are willing to pay province debts, but noe more for Agency. Judging itt my duty to se the province, hearing of theire circumstances, as in my speach, gave them a vissitt. They had the civility to give an answer, wch. answer being contrary to Mr. Walderen's minde, more espetially because in former Assemblys, he consulted wth., and drew up there votes, and nott now: you have a reflection on Assembly, wch. by them ill resented. In Representatives' voate: We hope you will still continue proper methods for defence frontiers, Captains att that very time attending me, and consulting therein being occation of there soe adressung. The Governour did take effectuall care, and gave full directions to Col. Hilton (whoe is since kil'd by the Indians) Major Smith, and to consult wth. Mr. Walderen and Capt. Garish, and perticuler

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directions to Capt. Davis, wth. 40 men to scout, whilst had provision, he scouted, wanting 3 weeks provision, could not march, and knew of none, till I did come into the Province, in Governor's absence care nott taken, enemy everywhere insulting and daring to come outt of their garisons, and laid wooden swords att their doors, in all this time Mr. Walderen takes care of his own and neglects the whole demanded of Treasurour as to provisions had sent itt up to Walderen and Garish, neither Walderen, Garish or treasurer acquainted Capt. Davis with itt, and knew nothing till I came into province, reflections, if any, due to them, butt for vindication imposes itt to be on H.E. Being in province finde many minuitts Council without Governour, Lt. Governour or presidentt (se minuitts Feb. 13, 1707, March 21, 1709, Feb. 6, 170<sup>9</sup>/<sub>10</sub>, and Feb. 11, 170<sup>9</sup>/<sub>10</sub>, as to £500.) Council are of opinion, if any 3 or 4 metes they are a Council, and as full power as Governour in Council : declareing itt wrong ; said they apprehended soe and accordingly should actt : asked Secretary ; why did nott in minuitt enter presidentt. Answer, could nott because contrary to orders from Queen : first in Council nominated to be president : two or thre metes as often as pleas, pas Acts withoutt President tho in the Province, they released one in prison for rates without paying, hope cheek to their proceedings and makeing voide all there Acts as irregular : for Peter Coffin is named firstt in Council. I formerly gave accott. Walderen admitted into Council, without warrant from Secretary's Office and royall signett, persuantt to order in Council : five years sd. Walderen, stood aproved of att Council board, H.E. gave him notice, mony was wanting to pass through the offices, writt for itt, Mr. Walderen refused and craved excuse. Sd. person noe principles of loyalty, tho' greatt pretender thereto. An Act for some time of 1s. 6d. a thousand on boards broughtt in £300 per annum many times motion made for same, Mr. Walderen obstructour for private interestt, he formerly governing Assembly, ytt. altered, expects governing Council, already setting himselfe up as Lt. Governour. The Council speaking there mindes as to reflections on Assembly, I ordered Secretary to draw up a minuitt, accordingly did. Wth. unbecomeing eariage Mr. Walderen said was nott full enough, ytt. he was drawing one, told him, was Secretary's place, and if he would write, every Member in Council should write their mindes, replied had drawn one up and was minde Council, wch. was read and past frely by all, salveing Capt. Hunckins : outt of Council hatt chaire etc. exspect my respectt unto. Council ordered to mete att 10 a clock Council paying respectt to him and waiting on him, att 11 (noe person dareing shew respect in goeing wth. me to Council Chamber) I wentt, waited till 12, then comes Mr. Walderen, wth. other of Councilours (after I had waited an hour) from his lodgings, sett in Council, and adjourned to Fryday att 10 ; waited till 12 ; wentt to Council Chamber, found butt two, adjourned to Wensday following, Walderen att his lodgings, there staid, dined, and aboutt one enquired, if Council adjourned, answered yes, all excuse, why did nott you send for me.

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Affrontts many, and ill example to H.M. subjects, he being admitted wthoutt royall signett, hope will be dismissd. As for Capt. Hunkings, he knew nott of his allowance, before a freind brought minuit Council for his aprobaton, as bin informed, judge him a person of loyall principles, onely civill person in Council, if H.M. pleas to continue, shall esteime itt as an act of grace, apprehend may be for H.M. service. Being in province greatt murmuring for greatt sums for Agency, same purely for private perticuler interestt, I demanded George Vaughn's accotts. of Secretary, answered was nott on file, and did never se them, accotts. lodged wth. Assembly, I did gett the accotts. copy thereof herewth. send, finde in two articles £158 2s. 6d. for Solicitors, Councillors, Clark, waiters and foott-men, Assembly desired accott. perticulers, he refuses to give. Did judge accotts. properly to be presented to Governour and Council for theire satisfaction, in ordering mony outt of Treasury, and to lay on file, butt I may be mistaken. My Lords being offered £400 per annum for dutys on boards as afore recited, if be recommended for supportt and defraying charges of Governmtt. haveing now an Assembly ytt. will nott be bigotted, judge will pass an Act for same, the wch. with a quitt rentt for mills and lumber will be worth £600 more. Theire is Capt. Garish, Mr. George Jeffrey, Capt. Theodor Adkinson, may humbly offer persons for Councilours, being persons of estate and loyall, butt being in Assembly judge att presentt moste for H.M. service there to be continued. H.E. is pleased to tell me when I goe into province, I putt all in a flame. If enquireing into truth of matters relateing to Governmtt., and makeing a true representation thereof to your Lordships be a crime, I must knock under the table, and till sencible thereof, shall goe on in discharge of my duty, for my Lords never had one peny for my charge and pains, nay nott pd. for paper and inck wch. your Lordps. have had the trouble of att charge of province. I inclose copy minuitt as to reflections drawn by Secretary and read butt nott allowed of, and minuitt drawn by Mr. Walderen allowed of, wch. being soe worded, lookes tending to create an ill opinion of Assembly wth. H.E., of my own knowledg Assembly for above 20 years never soe loyall and justt an one as now. *Signed, John Usher. Endorsed, Recd. 20th, Read 23 Nov., 1710. Holograph. 1 $\frac{3}{4}$  closely written pp. Enclosed,*

335. i. Lt. Governor Usher's Speech to the Council and Representatives of New Hampshire, Aug. 23, 1710, with their reply. *Endorsed, Recd. Nov. 20, 1710. Copy. 1 $\frac{1}{2}$  pp.*

335. ii. (a) Lt. Governor Usher's Computation for New Hampshire quitt-rentts, for mills, timber, lands, lumber and ferries etc. £1700 per annum.

(b) Copy of the Minutes drawn by the Secretary and Mr. Walderen, referred to in preceding.

(c) Copy of George Vaughan's accounts as Agent for New Hampshire in England. Feb. 27, 1709 (10). *The whole endorsed as preceding. 3 pp. [C.O. 5, 865.*

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Nos. 52, 52 i., ii. ; and (without enclosures) 5, 913. pp. 270-277.]

[Aug. 6.] **336.** Stephen Duport to [*the Earl of Dartmouth*]. A proposal relating to St. Kitts. It appearing by the 16th Article of the printed preliminaries for a Generall Peace made in May, 1709, that the most Christian King shall yield to Great Brittain whatever he is possessed of in Newfoundland, and whatever countries, islands, fortresses and colonies, which have been taken on both sides in this war, in what part soever of the Indies, shall be restored by both, the proposer observes that St. Kitts is now wholly in H.M. possession, it is the best of the Caribbee Islands in climate and soil ; and the division of the Island between H.M. subjects and the French has continually afforded opportunities of carrying on illegal trade, not to be prevented while it is so divided ; and H.M. subjects have been often exposed to the dismal and fatal changes of fortune whereby many have lost their lives, and more from a flourishing condition have been entirely ruined. The Councill and Assembly have lately addressed H.M. that the whole Island may remain to the Crown. But if H.M. should not think fitt to insist thereon, proposer asks to be authorised to treat with a subject of the French King for the purchase of all the lands and plantations formerly belonging to the French, *etc.* *Signed*, Ste. Duport. *Endorsed*, Read Aug. 6, 1710. *laid aside*. 2¼ pp. [*C.O.* 152, 42. No. 30 ; and (duplicate. *Endorsed*, R. Aug. 31.) 38.]

Aug. 7.  
N<sup>o</sup>haven.

**337.** Deputy-Governor Saltonstall to the Earl of Sunderland. I have convened in this town the Generall Assembly of this Colony, in obedience to H.M. commands, March 10, 1709, which I receiv'd under your Lordship's covert, by the Honble. Col. Francis Nicholson, and have communicated those commands to them, who has in the expedition ordered by H.M. the last summer against Canada given so full proof of his zeal to H.M. service, and for the prosperity of these H.M. Colonies. The inclosed Address is humbly offered as a reall testimony of the deep sence we have of H.M. Royall Favour and tender regard to these Colonies, in the Expedition thus ordered ; and as nothing shall be wanting on our part for the promoting of it, so we hope the blessing of Heaven will give it an issue answerable to H.M. desire. *Signed*, G. Saltonstall. 1 p. *Enclosed*,

337. i. Address of the Governor and Company of Connecticut to the Queen. We crave leave humbly to acknowledge your Royall favour particularly to your Colonies in North America in the expedition your Majesty has ordered against Port Royall and for the reduction of Nova Scotia under Col. Nicholson, by whome we have received your Majesties commands relating to our part therein, in wch. we have proceeded with a unanimous and chearfull obedience as well as diligence, and are furnishing out our proportion of men for that service, according to our utmost ability ; tho' we

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are at this time insulted by the French and Indians on our frontiers and obliged to march against them a considerable number of your Majesties Militia of this Colony. We hope your Majesties Royall purpose of reducing the part of the northern shore of America, which has been so unjustly possessed by the French to the great prejudice of the Trade and interest of these your Majesties Provinces will be crown'd with that success which has so long augmented the glory of your arms, both by land and sea. That the God of Armies would signalise his Divine goodness by prolonging that course of victories to your Majesties troops, wherever you shall command their service is the prayer of your Majesty's most dutifull and faithfull subjects. *Signed*, By order of the Genll. Assembly, G. Saltonstall. C. Stanly, Secry.  $1\frac{1}{2}$  pp. [*C.O.* 5, 10. *Nos.* 223, 224 ; and (*without covering letter*) 5, 536. *No.* 12.]

Aug. 8.  
N'haven.

**338.** Depty. Governor Saltonstall to the Council of Trade and Plantations. I have communicated your Lordships' letter of Jan. 16, 170 $\frac{9}{10}$  to the Councill and Assembly of this Colony, who do with me most humbly thank your Lordships for the favour therein expressed. and your constant regard to the welfare and prosperity of the same. The mistake your Lordships mention in ours of Jan. 24, 170 $\frac{8}{10}$ , relating to the number of our inhabitants, was very surprising, but upon view of the letter itself, kept on file here, we soon perceived the mistake to be in the transcriber of that which was sent your Lordships ; for the number of our Militia in the original draught of that letter is but 3500. As to our Laws which we formerly acquainted your Lordships were preparing for the press, the extraordinary occasions of the warr the two last summers in obedience to H.M. commands, has prevented our going through with that work, but we are now setting upon it, and hope to have it in a good forwardness by the next spring ; and I shall be very carefull that your Lordships expect have a copie of them, as soon as they come out of ye Press. *Signed*, G. Saltonstall. *Endorsed*, Recd. 8th, Read 23rd Jan. 17 $\frac{1}{11}$ . 1 p. [*C.O.* 5, 1264. *No.* 108 ; and 5, 1292. pp. 241, 242.]

Aug. 10.  
Whitehall.

**339.** Council of Trade and Plantations to the Earl of Dartmouth. *Reply to July 26 q.v.* We have no objection to Major Blair, *etc.* *Autograph signatures.* 1 p. *Enclosed*,

339. i. Names of those who recommend Mr. Blair.  $\frac{1}{2}$  p. [*C.O.* 137, 45. *Nos.* 95, 95 i. ; and (*without enclosure*) 138, 13. pp. 189, 190.]

Aug 11.  
Whitehall.

**340.** The Earl of Dartmouth to the Council of Trade and Plantations. *Encloses* letter from Mr. Richard Oglethorp, Antigua. You will please to consider the abuses there complain'd

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of, and what remedy may be best applied, *etc.* *Signed*, Dartmouth. *Endorsed*, Recd. 12th, Read 25th, Aug., 1710. 1 p. *Enclosed*,

340. i. R. Oglethorp to the Secretaries of State. (v. May 19.) Repeats information as to trading with pirates (v. C.S.P. 1706. No. 53.) *Signed*, Rich. Oglethorp. 3 pp.

340. ii. Copies of sailing and trading instructions, *etc.* from the owners of the *Fidelia* to Capt. Tempest Rogers, Sept. 6, 1698, Oct. 1699, Dec. 1697, *etc.* *Signed*, Chris. Billop, Charles Noden, C. Hosier, William Morgan, John Trott, Ra. Noden. *Endorsed*, R. Aug. 12, 1710. 9 pp. [*C.O.* 152, 9. No. 28; and 153, 11. pp. 59, 60 (*covering letter only*); and (*without covering letter*) 152, 42. Nos. 33-36.]

Aug. 12.  
Whitehall.

**341.** The Earl of Dartmouth to the Council of Trade and Plantations. Encloses following for their report. *Signed*, Dartmouth. *Endorsed*, Recd. 14th, Read 25th Aug., 1710. 1 p. *Enclosed*,

341. i. Lord Archibald Hamilton to the Earl of Dartmouth. The present Governor, Council and Assembly of Jamaica having lately represented to the Queen the discouragements that the privateers and other inhabitants of that Island lye under upon account of some clauses in the Act for the encouragement of the trade to America, *etc.*, it would be very encouraging to them, if their new Governor could, by a letter or any other warrant whatsoever, be authorized to signify to them (upon his arrival at Jamaica) that there was a design of laying that matter before the next Session of Parliament in order to redress such part thereof as will appear to be truly grievous. *Copy*. 1 $\frac{1}{4}$  pp. [*C.O.* 137, 9. Nos. 15, 15 i.; and 138, 13. pp. 282, 283.]

Aug. 12.

**342.** Merchants of London trading to Maryland to the Council of Trade and Plantations. Whereas several Laws relating to commerce such as the law for Towns, for reducing the damage on protested bills of Exchange, and that for relief of poore debtors *etc.*, have lately been made in Maryland, and tho' pursuant to your Lordships' late report H.M. has repealed those laws, yet thereby the inhabitants of Great Britain trading thither have suffered very considerably. We humbly pray that the Governour of that Province may have Instructions not to assent to any Act of Assembly relating to Navigation and Commerce except a sufficient term at least 18 months, in time of warr, be allowed in such law before its commencement, soe that H.M. pleasure may be known thereon. *Signed*, Micajah Perry and 9 others. *Endorsed*, Recd. Aug. 12th, Read Sept. 22, 1710. 1 p. [*C.O.* 5, 717. No. 15; and 5, 727. p. 183.]

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Aug. 14.  
Whitehall.

**343.** The Earl of Dartmouth to the Council of Trade and Plantations. Refers following for their report. *Signed*, Dartmouth. *Endorsed*, Recd. 18th, Read 19th Sept., 1710. *Sub-joined*,

343. i. Petition of Berkley Seymour to the Queen. Petitioner's father, Governor of Maryland, dyed July 30th, leaving a widow, two sons and one daughter, and great debts and legacies to be paid out of his small estate, which suffers very much by his dying abroad. The present war being prejudicial to the Plantation Trade, the employment was of far less profit than usual. He died six weeks after the arrival of a fleet of English merchant-ships before they were cleared, at which time had he lived to it, he would have been intitled to that years benefit of twelvence on every hogshead of tobacco exported in the said fleet. Since therefore by this misfortune, the President of the Council there claims one moiety by your Majesties Instructions, while there is no Governour, the other moiety is at your Majesties direction. Prays for the grant of this moiety (as in like cases) till the date of the succeeding Governour's Commission. *The whole*, 1 p. [C.O. 5, 717. Nos. 13, 13 i.; and 5, 727. pp. 179-181.]

Aug. 16.  
Antigua.

**344.** Governor Parke to the Council of Trade and Plantations. According to H.M. directions transmitted me from my Lord Sunderland by one Nivine, the Complainers against me have made a scrutiny into my life and conversation, as well as into my administration of this Government. By a modern Court of Inquisition wch. cannot but appear very severe to me, by debarring me from the benefit of the laws, which every Englishman but myselfe claimes and enjoys, by incourageing others to vilifie me, whilst I am forbid bringing my action against them with a sort of a non obstante to all the laws, and which is as highly prejudiciall to H.M. service, by exposing her authority in the person of Her Chief Governour to great contempt, while his name is posted like an outlaw in the common market, where everyone is invited to abuse him to his face, and where such scandalous ridiculous lyes are publickly told as no one private person cou'd bear with: which in a country of so much licentiousness as this, where the laws with so much difficulty are put in execution, and where the Magistrate will always be hated who therein does his duty, must be of very ill consequence: for the fear of so severe a tryall or inquisition of the most trivial words and actions may make some Governours preferr enjoying their Government in peace and quiet, and letting every man do what they please, rather than by exerting the laws, administring and maintaining Justice and supporting the Queen's Prerogative, make his life be raked into in so contemptible a manner by a sett of people who neither stick at perjury or murder to procure anything they are sett on. So plainly does this modern Court make it ye interest of the Chief Governour to be remiss in his duty and rather

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consult pleasing the people than what may be for H.M. service, and the honour and interest of the British Nation. I do not, my Lord, pretend to be infallible, and there are very few who do not sometimes say or do what might be better lett alone, but I have had such guard on my behaviour since I have found who I had to do with, that the impartial world will wonder that a people who will betray common conversation, and who plead a power to force my most intimate friends to do the same, have been able to make out so very little against me. And I shall have the happiness by these Articles to show H.M. what labour I have undergone to maintaine Her dignity and Her laws, and that I have preferr'd Her honour and service to my own quiett and advantage, and that I wou'd be neither bribed nor frighted from it : of which my assassination and my refusing the present they wou'd have made me to have quitted H.M. negative voice are ample prooffs. But I need not trouble your Lordship by defending myselfe against this Article made great with the specious name of priviledge of the Assembly, the Lords of Trade having resolved it was my duty to preserve the Queen's negative voice against all the attempts of an undutyful people, as their Lordships express it. But before I can consider their Articles and set them in their true light, I am obliged to observe to you how strangely they used the power they imagined the Queen's Order had given them, and how they laid it down as a principle on which all their management turned, to reduce me to the necessity either of staying here behind the Fleet, and to seem thereby to faile in my regard to H.M. Order, or to appear before Her covered with crimes they had just started, and which they allow'd me not an hour to cleare myselfe from. But 'tis my Lord my happiness that my conduct is to be examined by a Board not to be imposed upon by such insinuations, and who have already show'd my enemies they determine nothing ex parte. And tho' I am fully satisfyed that they will deafen your Lordshipp with clamours of my disobedience and eluding the Queen's Orders, I will willingly put it on the issue, that if they can in any wise make that out, I be esteemed as guilty and condemn'd accordingly, provided they will give H.M. no further trouble if I make it plain to a demonstration, that from their first arrival with the Queen's Order they have laid all their designs to make my return with this Fleet impracticable, by loading me the very day the Fleet sailed with such fresh accusations, that I ought forever to be excluded from H.M. favour, if they were true, and which they wou'd have alledged ought to be took pro confessu, if I had come over without attempting to answer. Nothing my Lord can be plainer than that my adversarys well knew that the men of warr were to attend the Fleet but 60 days in these Islands. And as they were mightily pleas'd with ye Queen's Order about my return, they also knew the limitation of it, that in each Island in my Government, notices were to be fixed on the publick Court Houses for any person whatsoever to make deposition against me, and H.M. according to Her usual Justice in the said Order expressly allows me a liberty to cross examine all such persons,

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and to take such depositions as might be necessary for my defence, and then interchangeably to fix the Broad Seal to both, after which the Order was express, I should return with the first man of warr. Therefore those 60 days ought to have been divided by my adversaries that I might had time to make my defence against whatsoever they wou'd charge me with in each of these Islands, and tho' this by way of distinction may well claim the title of the Clamorous Isle, yet the three days expressly ordered by H.M. for a publication and for notice on each side, takes up an entire week, altho' they should finish their complaints and I my defence in one sitting. Thus your Lordships see that the three Islands as necessarily took up a month among them, allowing a week for sailing from one to the other, as the sun takes up 24 hours for his diurnal course. And it naturally follows that my enemies ought so to have regulated their complaints here that I might have answered them within the first month, that I might have proceeded in the next to the other Islands. Your Lordships will also certainly agree with me that as my enemies should have endeavoured to have dispatched what related to this Island in a month, they ought to have finished their complaints in halfe that time, that I might have had the rest to answer in, forasmuch as 'tis easier to bring in depositions to a charge already form'd from them, than to find such prooffs as are requisite to invalidate such a charge. And altho' three days notice was directed to be given before every hearing, they might (*de die in diem*) have put up fresh notices, and have had more sittings and took more depositions than they have yet got against me, altho' they would not have bated their stories of cocks shedds and rumps of beef, and other trifles wherein I am never named, and which are too mean to move a laughter, unless for their exposing themselves. But from the first so farr were they from designing a dispatch, that altho' the Fleet came here the 27th of May, they so loytered away their time that I had no copies of any depositions taken by them till June 19th following at night, before which I could not begin my defence, and the very next day I put up my publication, and as it took up the whole day, I dispatched more businesse in it than they had in three sittings. I then told them how much time was run away, and observed to them how little they did in their days, and how easily they might long before have given me fair copies of their first depositions, and particularly told Mr. Nivine that these delays must needs be designed by him, by spinning this matter to a tedious length to amuse his clients, and gett what he could of them. But the repetition of their delays are so many, I will not trouble your Lordships with them, for you will find that they deferr'd till the week before the Fleet was to sayle, depositions that appeared of most moment which required the longest time to answer, and which they might have as well brought in the first day. And I then complain'd that altho' I cou'd not begin my defence till above three weeks after they might have begun their charge for want of copies of their depositions, and that by such an advantage in time they might have given me copies immediately after their taking them, yet

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they then had not delivered those of their three last sittings, tho' I had of mine to that very day. You see, my Lords, how very near the two months were expired, and the businesse of the first Island not finished, yet this did not prevent my attempting it, and desiring 'em to fix a time to compleat their charge that I might conclude my defence, and have the liberty H.M. gave me to return with the Fleet, and answer for myselfe, for as I was not conscious of deserving any complaint, or that there was any in those Islands, who had so lately solemnly acknowledged what I had done for 'em, who cou'd be perswaded to complaine against me. I flattered myself that nobody would appear on their publications, and that possibly I might still have the happinesse to return with the men of war, for I need not describe to your Lordships what uneasyness a man of honour must lie under who knows that he is villanously reflected on before them he has the highest regard for, when he cannot appear to confront them. But they were not pleased either then or in their last sitting to tell me when they designed to finish, knowing I could not conclude my defence, till I had their charge, which they resolved should not be till the Fleet was gone. Thus, my Lords, till the end of two months, till the man of war was sail'd that was ordered to carry me, I did not receive copies of the last depositions they had taken against me here, nor the new additional Articles, nor did they once tell me they had any new Articles forming. So impossible did they make it for me to finish my defence against the charge of the four Islands, when they had not compleated their charge against me in one. But during this management they made a step that must surprize you when explained. They sent an Agent down to the other Islands to take depositions, without regarding the Queen's Order and the liberty that order expressly gave me to cross-examine them. Mr. Nivine indeed told me in Court of his design, and I assur'd him I should go down to those Islands as soon as he cou'd dispatch the business of this. And as they could not be so stupid as to think I cou'd attend 'em here and at the other Islands at the same time, so neither cou'd they imagine I could depute any mortal who I could instruct to make a defence against a charge not made, and who could know what persons cou'd contradict it, and by counter-depositions and by plain reason confute what should be alledged before it was alledged. For tho I knew my own innocence, and that they cou'd therefore charge me with nothing I cou'd not set aside, 'twas evident from what I had here been accused of and fully answered, that the wisest man alive who had heard the charge cou'd not by any meanes have known how plainly and by what witnesses cou'd disprove and contradict them without my telling him, much less cou'd I depute anyone to answer what I no more than they knew nothing of. You see my Lords to what a height of ridiculousness these people are arrived, for while this is one of their charges, they in effect article against me for not being omniscient, or for not being able to depute somebody that was so. And their pretending to take depositions on any Island, where I was not on the spott, and cou'd not cross-examine and take counter-deposi-

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tions is not only eluding H.M. Order by quibbling with the liberty allowed me to depute any person to appear for me, which can only be supposed on the Island where I am, any other deputation I having so plainly proved to be in itself impossible, and contrary to the eternal law of equity, that always will allow to whosoever is accused of any crime, a fair opportunity of answering it, and for which the reign of Her present Majesty will to the latest ages be glorious. But I have to do with a sett of people who always wou'd lay me under impossibilities because I cou'd not go down to the other Islands and be here at the same time, nor instruct anybody to answer accusations before I knew them. They bring before the Justices of this Island affidavitts taken in the other three. To those that have not had the misfortune to be used to their little designs, 'twill not easily appear what they could mean by it. They will scarce allow my denying the truth of those depositions, nor giving reasons to prove them ridiculous to be a full answer to them. They also knew the people who I should interrogate or bring as witnesses were on the Islands where they took their respective depositions, besides the Fleet was to sail the next day, and that the witnesses cou'd not so soon be brought up to Antigua 25 leagues distance and in the wind's eye, nor that it was reasonable they shou'd, or indeed cou'd be forced to such a voyage, and that the Queen's Order made no distinction, or gave Antigua any preference to the other Island. No, my Lords, all these things are evident, but they resolved since I had answered all ye depositions they had taken when the time H.M. allowed me gave me an opportunity to do so, that they would send home a new sett of accusations without their answers, and carry that by their insinuations they never could with their proofs. They further designed by their not finishing here till the last day, and bringing those foreign depositions to reduce me either to stay behind the Fleet and from thence insinuate I failed in my obedience to H.M. and disregarded her orders ; or if I went with the Fleet without any proof to contradict the depositions of the other Islands, that was because I cou'd get none. But they have yet a further designe by asking the Broad Seal to be affixed to what by no meanes it ought, they might have a fresh pretence that I regarded not H.M. Orders. At five the night the Fleet sailed, they came with their depositions for the Broad Seal. I told them 'twas certainly reasonable I should examine what I put the Broad Seal to, and see that it was put to no papers but what were publickly taken pursuant to H.M. direction, and that in the meantime the Justices they had chosen (one of which was the first that signed against me) might examine mine, and the Broad Seal be put to both together : they alledged there was not time to examine them, and I told them they should have brought them sooner, and that I had sent for their Justices to examine mine, which I showed them were ready, but they being employ'd on theirs could not come, tho' in modesty I might have expected their priority. I added, as I should have scorned to have set the Seal to my papers had they been first examined, when theirs were ready and wanted only

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a reading, so would I not suffer by their Justices giving theirs the preference, nor put the Seal but on both together according to H.M. direction, which I would do as soon as mine were examined. For I depended so much on the justice of my cause, I had my depositions taken before the very Gentlemen chose by my adversaries to take their depositions against me, tho' they were my professed enemies. But your Lordships have (I presume) before you the reason I gave them, and the depositions annexed, wch. I sent by the *Arundel*, and is mark'd No. 189, 190, in the depositions the Seal is fixed to, wherein it appears I offered to put the Broad Seal to both, and send them after the man of war, who must stay a day or two at St. Kitts to make up the Fleet. But it was doubly for their interest not to have the Seale that would have took from them their pretence, that I had disobeyed H.M. Orders on which they chiefly depended: and as I can't conceive what reasons they could have given me to put the Seal to depositions taken in the other Islands ex parte contrary to the Queen's direction: if they had offered any pretended reasons for such a request, they wou'd have exposed themselves, or if they had dropped such depositions they would have lost their second hope. But they had another reason not in earnest to desire the broad scale which compleats the mistery of iniquity. They had deferr'd some depositions so long least the Fleet shou'd stay longer than they expected, it being their fixed resolution never to finish with this Island till the Fleet was ready to saile, that it might not be possible for me to go to the other Islands to finish and saile with it to England, so that when the Fleet was really ready to saile, several such depositions of theirs not being made, they had not time to appoint another day to take them, and they were of too much moment to be lost, the Gentlemen they kept in Petto to swear at their last extremity when they saw the Fleet sailed without me, gives reasons in his depositions why my affaires wou'd not permitt me to go to England, tho' no one knew better than he that they themselves much against my inclination made it impossible, and that the reason he gives is as far from the truth as any he could have invented. These Gentlemen, therefore, had reason not to stay for the Broad Seal's being fix'd to their papers, for even they themselves would have been ashamed to have asked it for depositions taken against all the rules they pretended to be governed by, so they must have lost by it. This weighty deposition with the rest they took in private, which could never have appeared before you, but branded with all the marks of a willfull disobedience to H.M. Order, if the rest had had Her Seale annexed to them and these not. But Mr. Nivine's Seale was fitter therefore for their purpose, and the deposition No. 204 shews you how he obtained it, by which with an impudence peculiar to themselves, he setts aside all H.M. precaution for truth by having it in his power to put it to depositions that never appeared in the manner prescribed by Her, but why do I say in his power, when 'tis notorious he so vilely used it. What is of most weight in the deposition aforementioned of Capt. Buor relating to quarrells

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is sufficiently contradicted by the depositions of several Gentlemen which as fully clears me from that scandal as the nature of it will bear. And tho' all that deposition is very Jesuitical and cunningly worded, he unwittingly proves for me that none of them that are stiled my Friends have in any quarrels they have been in since my having the Government ever kill'd any person, or been pardon'd by me ; which would have been more to their purpose than saying I only made a promise. But as the pardon of murder is excepted in my Commission, that Gentleman's ignorance led him into a perjury he would otherwise have avoided, and which thereby is proved on him. Thus tho' 'tis easier for them to charge me with designs than actions, because they may plainer and more fully be contradicted, yet the design they here charge me with being proved impossible, fully convicts them, but men reduced to such shifts must appear contemptible to an understanding like your Lordships', to whom I willingly submit my answer to the Articles. *Signed, Daniel Parke. Endorsed, Recd. Oct. 26, Read Nov. 10, 1710. 11 pp. [C.O. 152, 9. No. 33 ; and 153, 11. pp. 75-94.]*

Aug. 16. **345.** Same to the Earl of Dartmouth. *Duplicate of preceding.*  
Antigua. [C.O. 152, 42. No. 37 ; and (duplicate) 39.]

Aug. 16. **346.** Governor Parke to Mr. Popple. I beg the favour of  
Antigua. you to let my agent Mr. Micajah Perry or his Soliciter have what papers I shall from time to time direct to your board, for tho' the Complainants durst not venture their cause to be heard by the Lords Committee, well knowing they would spend time to inquire into the whole truth, however I have sent what affts. cou'd be then got ready by the *Arundel* directed to the Lords, and shall send my answer by the next packet that if their Ldpps. have the cureosety they may read them, *etc. Signed, Daniel Parke. Endorsed, Recd. Oct. 26, Read Nov. 10, 1710. Holograph. 2 pp. [C.O. 152, 9. No. 34 ; and 153, 11. p. 95.]*

Aug. 16. **347.** Same to the Earl of Dartmouth. By a shipp from  
Antigua. Ireland lately I had by accident two or three of their gazzetts, and the agreeable news of your Lordshipp's being Principall Secretary of State, *etc. Compliments and congratulations. Refers to depositions, etc. P.S. Your Lordshipp will find in the depositions I have sent in the Arundell the miserable state of the Regiment here, and in my letter to Col. Jones the reasons why I have not suspended him for such practices, which will amase whoever reads them. But those reasons now ceaseing, I shall suspend him. I send your Lordshipp the articles against him, which I think myselfe absolutely oblig'd to, haveing the name of a Regiment and not 150 men fitt for service, and which I have for these two years last past frequently acquainted my Lord Sunderland, without any answer. Signed, Daniel Parke. 3 pp. [C.O. 152, 42. No. 37 A.]*

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Aug. 17.  
New Castle.

**348.** Lt. Gov. Usher to [*the Earl of Sunderland*]. H.M. having been pleased to give a Comission for Lt. Governor in Province of New Hampshire, many years served, never had anything for suportt thereof *etc.* Occasion of these lines my comeing into the Province found one Mr. Richd. Walderen and Marek Hunckins admitted Members of Councill under pretence of order from the Queen ; finde an Order in Councill ytt. Rightt Honble. Seceretarys of States prepare warrantts for H.M. signett : the Genten. judgeing H.M. favour and order nott worth the charge, in taking orders outt of Secretary's Office, getts a minuitt Councill from E. Southwell's Esq. Office, by itt the Governour admitts of them in Councill ; with humble submision oughtt to be outt of Secretary's Office wth. roiall signett. Conceive ye goc by, the Secretary's Office, slightt on Queen's favour, and affrontt on Queen's Order, havcing due respectt for the Crown, judge my duty to representt true estate of things, *etc.* Signed, John Usher. *Holograph.*  $\frac{1}{2}$  p. *Enclosed,*

348. i. Minutes of Council of New Hampshire. June 3, 1710. Governor Dudley's letter to Mr. Secretary Story read, enclosing H.M. Order in Council Dec. 20, 1705, and directing Richard Waldron to be sworn of the Council accordingly. *Copy.* 2 pp. [*C.O.* 5, 10. Nos. 1, 1 i.]

Aug. 18.  
Virginia.

**349.** Lt. Governor Spotswood to the Council of Trade and Plantations. I think it my duty to lay hold on all occasions of paying my respects to your Lordships *etc.* At present I can only give a bare relation of the transactions since my arrival, without adding my own opinion or observations, since I cannot pretend to do it, on so late a knowledge of the Country, with that truth and exactness which I shall always endeavour to observe in my correspondence with your Lordships. On June 19 the convoy and fleet wherein I came arrived safely within the Capes without any accident happening to either, and on the 23rd the Council mett and my Commission was published in the usual manner. It was a surprize to the Gentlemen of the Council as well as to myself to perceive that Mr. Byrd was left out of the Council, considering he had been so lately appointed one of that Board, and that it did not appear that H.M. had since conceived any displeasure against him ; but on the contrary had granted him a particular mark of her favour in augmenting his sallary as Receiver General. This induced the Council to beleive that his not being named in the Instructions could proceed from nothing else than an omission in transcribing, which might easily happen in regard of the short time and consequently the hurry wherein they were prepared, between the time of my being appointed Lt. Governor and my comeing away. Upon which by the Council's advice I have admitted Mr. Byrd of the Council till H.M. pleasure be known ; and I hope your Lordships will be pleased not only not to disapprove thereof, but to move H.M. that he be restored, in regard of the personal meritt and qualifications of that Gentleman, and the post he holds in the Govern-

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ment by H.M. favour, which as it renders him capable will oblige him in duty to be very usefull in promoteing H.M. service in the Council, and if it be considered that there are only three at that Board who hold any places of profit in the Government, to witt, the Secretary, Auditor and Receiver General, your Lordships will easily beleive that a Governor would very unwillingly be deprived of the assistance of either of them, who have the same interest and obligations to promote H.M. service, and with whom on some occasions he may find it necessary to communicate with more confidence than with any other of the Council, tho' by what I have yet seen I have no reason to doubt the good inclination of every one of them to do their duty, and of their affection to H.M. Government. The first meeting of the Council being spent in publication of my Commission and issueing the usual proclamation continueing officers, I found it necessary to have a meeting of the Council on the 5th and 6th of this month : I communicated to them several of H.M. Instructions wherein I am directed to take their advice, and begg leave breifly to hint to your Lordps. their opinion and resolutions thereon. As to that Instruction directing the sale of the quitt-rents by inch of candle, I find that thatt method was altered several years agoe upon the experience of its being disadvantageous to the Queen's service, and an account thereof given to your Lordps., and that the quitt-rents have since been sold by the Auditor and Receiver General themselves to better advantage, which method the Council have unanimously advised me to continue. As to H.M. Instruction for regulating fees, directions are given conformable thereunto for the officers to hang up fair tables of their fees in their respective offices, and for sending me a copy of those tables, that I may be the better informed whether the fees be within the bounds of moderation, of which I shall give your Lordps. an account when I have the return of the orders sent. I have directed a proclamation for publishing H.M. Instructions relateing to the liberty of the subject, but as to the Courts of Oyer and Terminer required by that Instruction to be appointed once every half year, I find the Council inclined to be of opinion that thatt matter is sufficiently provided for by the Act establishing the General Court, by which all criminals are appointed to be brought to tryal on the fourth day of every General Court ; however that affair is to be further considered at the next Council. As to the Instruction which directs that the offices of Collector and Naval Officer shall not be executed by one and the same person, the Council have informed me that it is already complied with, that those offices were separated upon the first giving that Instruction to Col. Nicholson, and have continued to be executed by distinct persons ever since, and are so at this time ; but as to the office of Receiver of the Virginia dutys (who bares the name of a Collector here) I find the same hath always been enjoyed by the same persons as are Naval Officers, and the Council have given their opinion that the fees belonging to the Naval Officer alone would not be a sufficient encouragement for anyone that's capable and fitt

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to be in so great a trust without the addition of the place of Receiver of the Virginia dutys, from which last their cheif profit doth arise ; and since it is H.M. pleasure that men of estates and suitable qualifications should only be putt in that trust, I hope it will be judged for H.M. service that the same encouragement be continued to them as hath been heretofore ; and that your Lordships will not be displeased that I have (according to the custome I found here) given the place of Naval Officer and Receiver of the Virginia dutys in the upper district of James River vacant by the death of Major Allen to Mr. Nathaniel Harrison, who has given good security for the discharge of his office, and of whom I have received a general good character, both as to his capacity and diligence. In obedience to H.M. commands I have issued a proclamation for repealing the Act *for establishing ports and towns*, and I would willingly have comprized in the same proclamation another Act, vizt., that concerning the granting, seating and planting lands, etc., which I'm informed continues still in force, notwithstanding I find in the Council office a copy of H.M. order for repealing the said Act, attested by Mr. Popple. I advised with the Council whether the copy aforesaid was not sufficient warrant for issuing a Proclamation to declare the repeal of that Law, but they were unanimously of opinion that it was not : and that there had never been any Proclamation issued either confirming or repealing an Act of Assembly except where H.M. pleasure had been signified under her sign manual and signett or by order of H.M. in her Privy Council under the Seal of that Office. Wherefore for avoiding any inconveniencys that may happen, your Lordships will be pleased to give directions that another order be sent in due forms as soon as may be. Pursuant to your Lordps.' commands and the information given me in the extracts of the Memorials I had the honour to receive from your Lordps., I have taken care for detecting the persons concerned in carrying on an illegal trade to Curraçoa and St. Thomas's : and shall by the next opportunity give your Lordps. a more particular account of my discoverys in that affair. It is very apparent that the want of guardships here so frequently, has given great encouragement to the carrying on this trade : and I am inform'd it has been the practice for vessells bound to the West Indies (when they found no man of war in the Bay) to take in great quantities of tobacco after they had cleared with the Officer, and by this means they had the opportunity of runing all that tobacco to either of those forreigne ports before they went to the Plantation to which they were cleared. I have proposed to the Commissioners of the Customs some means for preventing that pernicious practice, which is to oblige their Officer in the lower district of James River (from whence this trade is cheifly carryed on) to keep a boat and hands to go on board the plantation vessells and examine into their loading. But in my opinion nothing can more effectually break that trade, than the haveing guardships constantly attending here, and more especially if (according to what I perceive has been often represented by the President and

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Council) a sloop or other small vessell well fitted and mann'd were sent hither to attend the guardship, such a vessell would not only be of the greatest use for suppressing the enemy's privateers, but would contribute very much to the preventing illegal trade, since it would be mighty difficult for any vessell to go out of the Capes without being examined. And I doubt not your Lordships will be so far satisfyed of the usefullness of such a vessell that you will be pleased to use your interest with the Lords of the Admiralty that one be forthwith sent. I have with the advice of the Council issued out writts for calling an Assembly to meet Oct. 25: the cheif business that requires their meeting is the raising money for finishing the Governor's house, the payment of the Country debts that have accrued since the last Assembly, and the remedying some inconveniencys that have been found in the Laws. The privateers have proved very troublesome on the coast this summer. They have taken a great many vessells, and kept the inhabitants about the Capes in continual alarms. After the loss of the *Garland*, and in the absence of the *Enterprize*, which haveing gone first to New York to refitt, went afterwards to the Bahama Islands, and is but the other day returned hither. It is a mighty inconvenience that upon any accident to the men of war attending here, they are obliged to go to New York to refitt, or if they want bread or other provisions they must go there for a supply, and in their absence the country is exposed to the insults of every little privateer, and not any place of defence, nor one peice of cannon mounted in the country to oppose them. The apparent prejudice to H.M. service by this diversion of our guardships obliges me (notwithstanding what I expressed in the beginning of this letter) to offer to your Lordps. my humble opinion that the first inconveniency may be obviated by haveing an Agent here to supply the men of war as well as in the other Colonys and a place may with small charge be fitted up at Point Comfort for careening where I'm informed the *Southampton* a fourth-rate was careened when she was guardship here. And as to the defence of the country in the absence of guardships, I cannot but be of opinion that a small fort built on Point Comfort would be of good use, the very name of it would strike an awe in the enemy. It would afford a retreat for ships when pursued by privateers in the time of war, or by pirates (which must be expected in time of peace) whereas there is now no manner of defence against such attempts, the place for careening H.M. ships being under the canon of it, they could not be surprized by the enemy in that circumstance: and barracks might be built in it for the reception of the sick men belonging to H.M. ships and thereby their desertion prevented, which now frequently happens as soon as they begin to recover. The charge of erecting such a Fort would be inconsiderable, but as the Country is unable to defray the charges of a garrison, I humbly propose that H.M. may be moved to send a company of the Invalides to do duty in it, which would be no greater expence than they now cost; and for the extraordinary charges of this garrison, that they be defrayed out of H.M. quitt-rents, and if any seaman happen to

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be disabled in the service here he may be entered upon the establishment of that garrison, and there entertained at the same charge as in Greenwich hospital. I the rather propose the supplying it with Invalides because (besides the saving further charges to H.M.) other soldiers would hardly be kept from deserting either to the merchant service or dispersing through the country to better their circumstances by turning Planters. And if there should be any danger of the Fort being attacked by an enemy, the Garrison might be soon reinforced by throwing in a body of the Militia, who would make a better figure in the company of experienced soldiers and haveing walls to befriend them, than I am afraid they will do by themselves without those disadvantages. All which I humbly submit to your Lordships' better judgement. Tho' the price of tobacco is fallen so low that it has brought many of the owners in debt at London, and lessened the supplys of goods for their familys, yet I find the people bear it with much more patience than could be expected from so great disappointments; and I'm informed the crops of tobacco this year will be at least equal to what they have been at any time this several years past. There, my Lords, are the most material transactions that I have to trouble your Lordps. with at present, and seeing I have here touched the principal heads of what was treated on the two last Councils, it may not be so necessary at this time to transmitt the Journals thereof: for the convoy being to sail in September will give me opportunity of sending them with what else may happen in the mean time. If there remains ought else which I should have now informed your Lordps. of, I beg that the lateness of my arrival may plead my pardon, *etc.* *Signed*, A. Spotswood. *Endorsed*, Recd. 13th, Read 25th Oct., 1710. 7 pp. [C.O. 5, 1316. No. 51; and 5, 1363. pp. 204-217.]

Aug. 18. **350.** Same to [*?Lord Dartmouth*]. *Repeats parts of preceding.*  
Virginia. I found the Country in peace, and observe a good disposition in the People to be quiet and easy, which I shall endeavour to cultivate, *etc.* *Signed*, A. Spotswood. 1½ pp. [C.O. 5, 1341. No. 10.]

Aug. 18. **351.** Lt. Governor Spotswood to [*the Earl of Sunderland*].  
Virginia. *Compliments. Continues as preceding.* I shall send the Journals of Council the return of the Convoy, which will sail about the latter end of September, *etc.* *Signed*, A. Spotswood. *Endorsed*, R. Oct. 16. 1¾ pp. [C.O. 5, 1337. No. 5.]

Aug. 18 & 19. **352.** Permit for 2 ships to sail for the Plantations without  
convoy. [C.O. 324, 32. pp. 15, 16.]

Aug. 19. **353.** Col. Jenings to the Council of Trade and Plantations.  
Virginia. *Refers to arrival of Lt. Governor Spotswood, etc.* I had the good fortune to give up the Government in peace and tranquillity, *etc.* I intend to return by the convoy for England, *etc.* *Signed*, E. Jenings. *Endorsed*, Recd. Dec. 25, Read Jan. 23, 1710 (11). 1 p. [C.O. 5, 1316. No. 55; and 5, 1363. pp. 246, 247.]

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Aug. 19.  
Whitehall:

**354.** Council of Trade and Plantations to Lord Dartmouth. *Enclose* draught of Instructions for Governor Lowther, "which are to the same purpose as those that were given to Mr. Crow, except that pursuant to H.M. commands (*v.* July 28), we have added two clauses relating to the Secretary and Provost Marshal of Barbados." *Annexed,*

354. i. Draught of Instructions to Robert Lowther, Governor of Barbados, *etc.* Additional clauses (*Nos.* 49 and 50): Whereas by our Letters Patents, April 1702, we did grant to Alexander Skene the offices of Secretary of Barbados, Secretary to the Governor for the time being, Secretary to the Governor and Council, and to the Council in the absence of the Governor, and also the office of Clerk to the several Courts in the said Island, with all the rights, profits, fees, *etc.* to the said offices respectively belonging; and whereas several encroachments have been made upon the said office, especially by Mitford Crowe Esq., by appointing a private Secretary of his own, and taking from Skene several fees and perquisites belonging to him by virtue of our said Letters Patents and applying the same to his said private Secretary, we were graciously pleased to direct (May 7, 1709) him to restore Skene to his place of Secretary to the Governor *etc.*, but the same having not yet been done, it is our will and pleasure that upon your arrival in Barbados, you do immediately admit and restore Skene to the full enjoyment of the several places aforesaid, and to all the profits *etc.* thereunto belonging. (50) Whereas George Gordon, Provost Marshal General of our Island of Barbados, and Alexander Skene aforesaid, did by their several petitions humbly pray us to repeal an Act passed in our said Island in 1667, *directing how the clerks and marshals of the several Courts of Common Pleas within this Island shall be appointed and what they shall receive*, the same being prejudicial to the ancient rights of their respective places of Provost Marshal General and Secretary of our said Island, as likewise to other our subjects there, and whereas we have thought fit by our Order in Council (Feb. 18, 1710), which you will herewith receive, to signify our disapprobation and disallowance of the said Act, the Judges, Clerks and Marshals will lose so much of their fees as were appointed by the said Act, in order to the prevention whereof, it is our will and pleasure that you do use your best endeavour with the General Assembly to procure an Act to be passed for settling a salary or reasonable fees on the several Judges there, and for restoring to the Clerks and Marshals the several and respective fees mentioned in the said Act, and that you do forbear to give your consent to any Act that may prejudice our several officers in our said Island, commissioned under the Great Seal of this Kingdom

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in their just rights and priviledges ; but on the contrary that you do countenance and give all due encouragement to all our Patent Officers in the enjoyment of their legal and accustomed fees, rights, priviledges and emoluments according to the true intent and meaning of their said Patents. [*C.O.* 29, 12. *pp.* 134–231.]

Aug. 22. **355.** H.M. Warrant for John Blair to be admitted to the  
Kensington. Council of Jamaica. *Countersigned*, Dartmouth. [*C.O.* 324,  
32. *p.* 19.]

Aug. 22. **356.** Address of the Governor, Council and Assembly of the Massachusetts Bay to the Queen. The gracious acceptance which our late humble Addresses have found with your sacred Majesty for the obtaining sea and land forces from Great Britain for the reducing of Port Royal and the country of Nova Scotia to your Majesty's obedience, thereby to rescue us from the insults of our ill neighbours the French on that side, demands our most humble recognition, with the highest gratitude to the best of Queens, whose innate diffusive goodness inspires Her royal breast with most gracious dispositions to hear and grant the humble supplications of the meanest of her subjects, and to have regard to such as are far distant from the royal throne. Your Majesty's ships of war and transports, with the forces design'd for that expedition, under the conduct of the honble. Col. Nicholson, happily arrived to us the middle of the last month, by whom we had the favour of receiving your Majesty's commands for our quota thereto in concert with other your Majesty's neighbouring Governments. And in obedience to your Majesty's said commands, we have with all application and diligence intended our duty to put forward the said expedition. Your Majesty's forces rays'd therefore within this Province consisting of 900 men well clothed and shipping in readiness for their transportation with 3 months provisions on board, stand under their armes, attending the General's order for their embarquing, and we shall not be wanting in any article required on our part, hoping by God's blessing upon your Majesty's armes, that Countrey shall be restored to your Majesty's Empire, and by the produce thereof be of singular benefit and advantage to the Crown, withal humbly praying that your Majesty will be graciously pleased upon the reduction of the same, to establish such garrisons at the charge of the Crown, for keeping of the Fort at Port Royal, and in such other places as in your Royal wisdom your Majesty may think fit to rayse fortifications. And that it may always hereafter be continued a British Colony, as it was at first originally granted and intended by your Majesty's Royal Predecessors, *etc., etc.* *Signed*, J. Dudley, Isa. Addington, Sec. Council, John Park, Speaker of the House of Representatives. 1 *p.* [*C.O.* 5, 10. *No.* 137.]

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Aug. 23.  
Colony of  
Rhode Island.

**357.** Governor Cranston to the Earl of Sunderland. By the Rt. Honble. Coll. Francis Nicholson, who arrived at Boston with the Brittish forces July 15 last, I received H.M. Royall letter to me, March 18, and your Lordship's of April 17, both which I communicated forthwith to the General Assembly, who upon the consideration of H.M. repeated care and pious regard of her good subjects in these partes (in answering their humble petition) and sending them such forces, under the command of so acceptable a Generall, readily agreed in giving me such suplys as were needfull (with their concurrence) for the fitting out 200 men (with transports and all stores suitable for the expedition, to joyn with H.M. Brittish Forces) who are this day imbarqued in order thereunto. And I hope with the blessing of God, who has from time to time so wonderfully prospered and blest the armes of H.M., that he will still continue his blessing and give success, not only to this present expedicon, but to all H.M. Forces both by land and sea. *Encloses* following to be laid before H.M. *etc. Signed*, Samll. Cranston. *Endorsed*, Reed. Nov., 1710. *Addressed*. 1 p. *Enclosed*,

357. i. Address of the Governor and Company of Rhod Island and Providence Plantations in New England to the Queen. We your Majesties most dutifull and loyal subjects are not of ability to express how much we are (in duty) obliged to your Majestie for answering (at this critical juncture, when your Majestie is so deeply engaged for the procuring a lasting Peace, not only for your own subjects, but for ye ballance of Europe) the humble Address of the severall Governmts. of these partes of North America, by sending us assistance of ships of war, and men, with warlike stores, under ye command of ye Right Honourable and most acceptable Col. Francis Nicholson, *etc., etc.* We crave leave humbly to congratulate your Majesty for the gracious smiles of Heaven upon your Royal Person and divine goodness, showred down on your sacred Head, by continuing to bless the just armes of your Majesty and those of your Allies, under the conduct of those two great and renowned Generals, the Duke of Marleborough and Prince of Savoy, *etc.* Your Majesties commands to this your Government to be assistant to this nobler enterprize in the same manner as we were to have been the last year, (had the expedicon against Canada succeeded) we have embraced with a loyall and dutifull obedience. Tho', as we were bold to inform your Majesty in our last Address, vizt. that we apprehended our proporeon then ordered (and now renewed by the vote of the Councill of War) to be more than our equal Quota, with our neighbouring Provinces; so we most humbly pray that your Majestie in your great wisdom (should the like occasion offer hereafter) will be graciously pleased to order and direct, that each Province and Colony may be equally proporconed according to the

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number of their Militia : the which will more and more oblige us readily and dutifully to comply (as faithfull and loyal subjects) to all your Majesties commands, with our lives and estates, which have been and are wholly devoted to your Majesties service ; for the maintaining and supporting your Royal Crown and Dignity, *etc.* *Signed*, Samll. Cranston, Govr. ; West Clarke, Secretary. Rhod Island, Aug. 23, 1710. *Endorsed*. Recd. Nov. 24, 1710. *Addressed*. 1½ pp. [*C.O.* 5, 10. *Nos.* 226, 228.]

Aug. 24. **358.** Address of the Governour, Council and Representatives of New Hampshire to the Queen. *Return thanks* for H.M. despatch of forces on the expedition against Nova Scotia, *etc.* *Continue* :—The circumstance of this poor Province (being all frontiers to the enemy by sea and land) bespeaks the assistance of more men than the scattering inhabitants thereof for its defence, yett wee freely and readily sent the Quota demanded of us for this present Expedition with provisions, transports and all things necessary for them, and shall always exert our utmost endeavour for your Majesties service, *etc.*, *etc.* *Signed*, J. Dudley ; Cha. Story, Secretary of the Council ; Richard Gerrish, Speaker of the House of Representatives. 1 p. [*C.O.* 5, 10. *No.* 2.]

Aug. 25. **359.** Council of Trade and Plantations to the Earl of Whitehall. Dartmouth. Enclose following. *Annexed*,  
359. i. H.M. Instructions to Lord Archibald Hamilton, Governor of Jamaica. Similar to those of Governor Handasyd. *Signed*, Sept. 9, 1710, Kensington, *etc.* [*C.O.* 138, 13. pp. 190–281 ; and 5, 189. pp. 66–102.]

Aug. 26. **360.** Mr. Popple to Mr. Burchet. *Quotes* Col. Jenings, Whitehall. as to the need of a guardship for Virginia, for the information of the Lords of the Admiralty. [*C.O.* 5, 1363. pp. 197, 198.]

Aug. 28. **361.** Order of Queen in Council, Report on the Bahamas Kensington. (v. Dec. 30, 1708 and July 9, 1709) is approved and referred back to the Council of Trade to devise the best way of putting it in speedy execution. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 14th, Read 15th, Sept., 1710. 1¼ pp. *Enclosed*,  
361. i. Copy of Report of Attorney and Solicitor General, July 9, 1709. q.v. 1½ pp. [*C.O.* 5, 1264. *Nos.* 98, 98 i. ; and (without enclosure) 5, 1292. pp. 216–218.]

Aug. 28. **362.** Mr. Popple to Governor Hunter. *Acknowledges* letter Whitehall. of June 16, *etc.* The Palatin ships you mention as missing their Lordships hope were not long after you in port, one of them having put into Virginia. Your next letters their Lordships promise themselves will bring them a good account of the posture of affairs in your Government, wherein I doubt not but your prudent management will correct any irregularities which the heats and divisions there may have runn them into. [*C.O.* 5, 1122. p. 171.]

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Aug. 28.  
Admiralty  
Office.

**363.** Mr. Burchett to Mr. Popple. *Reply to Aug. 26.* I have received a letter from Col. Jennings of the same purport. The *Tryton's* prize, a ship of the sixth rate is gone to cruize with the *Enterprize* between the Capes. *Signed, J. Burchett. Endorsed, Recd. Read Aug. 29th., 1710. Addressed. 1 p. [C.O. 5, 1316. No. 50 ; and 5, 1363. p. 203.]*

Aug. 28.  
Whitehall.

**364.** Council of Trade and Plantations to Lt. Governor Spotswood. Col. Jenings having given us an account, April 24, that he has received H.M. commands for settling the Boundaries between Virginia and Carolina, and for removing the interruptions daily given by Carolina to the Indian trade, but that he had not time to enlarge upon what had been resolved on by the Genl. Court, we shall therefore expect from you a particular account of the resolutions and proceedings of the said Court, as well in relation to the settling and adjusting the said Boundaries as to the Virginia Indian trade by the first conveyance. He also acquaints us with the arrival of H.M.S. the *Enterprize*, ordered to attend the service of the Colony, which together with H.M.S. the *Tryton's* prize, which sail'd from these parts some time ago, and we hope is arrived, will be sufficient to secure the coasts and protect you from the insults of the Enemy's privateers. We are glad to perceive by the said letter that an intended insurrection of the negroes in that Colony, had been happily discovered, the cheif conspirators seized, two of them found guilty and condemn'd, which we hope will serve as an example to the rest, and deter them from attempting anything of the like nature for the future. We shall be glad to hear that the sickness he mentions to continue in divers parts of the Colony, and which has carryed off many of the people will before this comes to hand be wholly abated, *etc.* Since the writing of the above, we have received another letter from Col. Jenings without date, wherein an account of the damage done by the French privateers on the coast of Virginia and the want of a man of war and sloop, *etc.* ; all which we have laid before the Lords of the Admiralty. [*C.O. 5, 1363. pp. 198-203 ; and 5, 1335. pp. 48-51.*]

Aug. 28.  
Whitehall.

**365.** Council of Trade and Plantations to the Earl of Dartmouth. We have considered ye letter and papers from Richard Oglethorpe (*v. Aug. 15*), relating to illegal trade carried on at the Leeward Islands, and are inclin'd to believe that the facts therein complained of are true, we having receiv'd former complaints of ye like evil practices in those parts, upon which we then transmitted cyps of the informations to the Governor of the Leeward Islands with directions that he shou'd make a strict inquiry into those matters ; that he shou'd prosecute the offenders, if there shou'd appear to be good grounds for so doing, and transmit to us an account of his proceedings therein, which method we are humbly of opinion will be most proper to be taken in relation to ye aforesaid information, given in by the said Richard Oglethorpe, and the rather in regard that they contain only bare allegations, without any sort of proof whatsoever. [*C.O. 153, 11. pp. 60, 61 ; and 152, 42. No. 40.*]

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Aug. 28. **366.** Order of Queen in Council. Approving Instructions for Governor Lord A. Hamilton (Aug. 25) which are to be prepared for H.M. signature. *Signed*, Edward Southwell. *Endorsed*, Recd. Sept. 29, Read Oct. 26, 1710. 1 p. [*C.O.* 137, 9. No. 19; and 138, 13. p. 295; and 5, 11. No. 55.]
- Aug. 28. **367.** Order of Queen in Council. Approving Instructions for Governor Lowther. *Signed*, Chris. Musgrave. 1 p. [*C.O.* 5, 11. No. 54.]
- Aug. 28. **368.** Order of Queen in Council. Approving draft of Instructions for Governor Lowther (v. Aug. 19). *Signed*, Edward Southwell. *Endorsed*, Recd. 29th Sept. Read Oct. 26, 1710. 1 p. [*C.O.* 28, 13. No. 43; and 29, 12. pp. 304, 305.]
- Aug. 28. **369.** Council of Trade and Plantations to Lord Dartmouth. We have considered Lord A. Hamilton's Memorial (v. No. 341 i.). We are still of the opinion we writ to the Earl of Sunderland, May 16, and therefore have no objection why the Lord Archibald may not be allowed by letter or otherwise according to his desire to signify to the Assembly H.M. gracious intentions that the hardships Jamaica does lye under shal be laid before the House of Commons the next Session. *Autograph signatures*. 1 $\frac{3}{4}$  p. [*C.O.* 37, 51. No. 27; and 138, 13. pp. 283, 284.]
- Aug. 29. **370.** Mr. Popple to George Lillington, President of the Council of Barbados. *Acknowledges letter and papers of June 11*, all which are now under their Lordships' consideration, and will forthwith be laid before H.M., so that in all probability you may receive H.M. pleasure thereupon by the next packet boat. Mr. Pulteney will by next packet return an answer to the letter he has received from you. [*C.O.* 29, 12. pp. 250, 251.]
- Aug. 29. **371.** Mr. Popple to Governor Dudley. *Encloses* opinion of Solicitor General upon two clauses in the Massachuset's Charter (v. May 12) "which you will do well to communicate to Mr. Bridger," etc. [*C.O.* 5, 913. p. 252.]
- Aug. 30. **372.** Council of Trade and Plantations to Governor Hunter. Whereas there have been great irregularities in the manner of granting Commissions in the Plantations to private ships of war, and whereas it will be necessary that you govern yourself according to the Commission and Instructions granted in this Kingdom, we herewith inclose copies of them for your better guidance therein. [*C.O.* 5, 1122. p. 172.]
- Aug. 30. **373.** Same to Lt. Governor Spotswood. *Similar to preceding*. [*C.O.* 5, 1363. p. 203.]

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Aug. 30.  
Bermuda.

**374.** Lt. Governor Bennett to the Council of Trade and Plantations. I presume this comes with a packt. from me dated June 13, which was designed to have gone via Lisbon, but the vessell that carryed it to Pensilvania in expectation there of freight for that place, being disappointed, touched here in her way to Barbados, which gives me the opportunity of sending this, and to acquaint that I have received your Lordps.' of Jan. 19 and Feb. 9, which I answered July 5, and sent my letters in a sloop for Barbados in order for the packt. boat, but she was taken in sight of that Island. I also sent a duplicate by the next vessell that went there, and her fte happened to be the same; soe that I am now prepareing triplicates, but can't compleat them to transmit now, this vessell only touching here to put a small quantity of goods on shoar. *Repeats following letter. Continues:* My Lords, I have now received the publick seal from Barbados, and shall fulfill H.M. orders relating thereunto the next Council Day. Inclosed is an Act of Assembly to empower Capt. Richard Jennings to sell one share of land to enable him to pay his debts. My Lords, the Capt. of the vessell that carrys this to Barbados in order for the packt. boat pressing to be gone, obliges me to brevity, etc. *Signed, Ben. Bennett. Endorsed, Recd. 13th, Read 14th Nov., 1710. Holograph. 4 pp. Enclosed,*

374. i. Licence from the President and Council of Barbados for the sloop *St. James*, Capt. Barnett St. John, to sail for the coast of New Spain. *Signed, G. Lillington, A. Skene, May 22, 1710. Clearing of the same, May 23. Signed, Saml. Cox, Naval Officer; Tho. Edwards, Coll. Same endorsement. 3 pp.*

374. ii. Proceedings at the Admiralty Court, Bermuda, at the condemnation of the sloop *St. James*. July 7–Aug. 4, 1710. *Same endorsement. 22 pp.*

374. iii. Affidavits of James Glasebrook, deputed waiter, Saml. Tynes, Florentius Richardson, James MacCulle, Benjamin Todd, Anthony Needle, Wm. Richardson, Francis Laudey, James Robe, and Thomas Wright, in the case of the sloop *St. James*. Aug. 19–24, 1710. *Endorsed, Recd. 13th Nov., 1710. 8 pp. [C.O. 37, 9. Nos. 9, 9 i.-iii; and (without enclosures) 38, 6. pp. 499–501.]*

Aug. 30.  
Bermuda. **375.** Same to Mr. Popple. Desires him to lay preceding before the Council of Trade, etc. *Signed, B. Bennett. Endorsed, Recd. 13th, Read 14th Nov., 1710. Holograph. 1 p. [C.O. 39, 7. No. 10; and 38, 6. p. 504.]*

Aug. 30.  
Bermuda. **376.** Lt. Governor Bennett to the Earl of Sunderland. I have here transmitted the condemnation of the sloop *St. James* which was seized by a privateer fitted out from this country near Porto Rico: she belonged to Barbados, and by her clearings it appears she was bound to St. Domingo in order for trade, but the Capt. of the privateer enquireing into her cargo was informed

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there were a number of iron barrs on board and barrells of steel hid under the ballast, which occasioned her being brought in here, as they were counterband goods, and not designed by her clearings to trade between Rio la Hacha and the River Chagre within which limits the Act *for the encouragement of the trade to America* doth allow to be traded with, but it's humbly conceived noe where else among the Spaniards. After the sloop was condemned and her ballast strictly enquired into, there were found 17 large iron barrs, bolts, spikes and hinges for ports of vessells, more than was owned att the triall, so that the whole number were 36, which weighed with bolts *etc.* 2716*lb.*, and the steel 226*lb.* There was also on board a chest of dry goods, for which noe certificate from the Custome House appeared, neither did the Master pretend he ever had one, and one Mr. Creagh, chief owner of the sloop now here, told me he knew nothing of them, soe that if the vessell had not been condemnable, those goods I presume were seizable, an inventory and appraisment whereof not being compleated, cannot now transmit it, but shall by the first opportunity. I understand the owners of the sloop will endeavour all they can to obtain H.M. order for restitution, and that they will make complaint of the ill usage of a Spaniard that was the mercht. on board. It is very true, my Lord, the privateers owned that (contrary to my Instructions) they did punish that gentleman, to make him confess he had a Spanish pass (which was said to be thrown over board) but not to that degree as I hear is represented, affidavits to which purpose are incerted att the end of the triall, and those that were actors in that beating are detain'd here in order for punishment, as your Lordship shall direct, *etc.* Signed, Ben. Bennett. Endorsed, Reed. Nov. 27. Holograph. 3 pp. Enclosed,

376. i.-iii. Copy of proceedings in the Court of Admiralty, Bermuda, against the sloop *St. James* and affidavits *etc.* relating thereto, as Nos. 374 ii., iii. Same endorsement. 25 pp. in all. [C.O. 37, 28. Nos. 5, 5 i.-iii.]

Aug. 30.  
Whitehall.

**377.** Council of Trade and Plantations to Lord Dartmouth. Having by the last packet from Barbadoes received a letter *etc.* from the President of the Council (*v.* June 11) relating to a dispute arisen between the Councill and Assembly, touching the nomination of a Treasurer in the Excise Bill depending there; we have thought fit for H.M. service to lay before your Lordship a full state of that matter as it appears to us from the said papers. On May 1st, 1710, the Assembly sent up to the Governor and Councill an Act for laying an Excise upon liquors. The Council disapproved of the Assemblies nomination of Col. Downs for Treasurer in the said Bill; and by reason of the disputes that happened on this occasion between the said Councill and Assembly, the Island remained without a revenue. On May 19 (some days after Mr. Crow's departure from thence) the President ordered the Assembly to attend him in Councill, where he exhorted them all to union and good agreement, and in order thereunto proposed that there might be a conference between them and the

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Council upon the forementioned Bill. A conference was had the same day, the Council insisting that they had as much power to reject as the Assembly to nominate a Treasurer, yet if the Assembly would nominate any other person besides the said Downes, or propose some other expedient that the said Bill might not drop, the Council would then consider of it. The Assembly on the other hand insisted on the Treasurer they had named, and passed a resolution in their House accordingly. On May 20th, the Members of the Council who were against passing the Bill with the said Downes's name in it, deliver'd to the President a paper containing their further reasons and proposals for accomodation, the substance whereof is as follows. That they did not dispute the Assemblies right of nominating a Treasurer, but claimed to themselves a right to approve or reject the person so nominated. That if the Assembly would nominate any one of nine persons named by them in their said paper, they would readily agree to such nomination, or they would agree to the nomination of Col. Maycock, their former Treasurer, or any other person, or give good reasons to the contrary. That they did not rejected Col. Downs from any disrespect to his person, but from a principle of doing their duty, and discharging the trust reposed in them, and hoped the Assembly would embrace these proposals. On 23rd the Assembly sent to the Council their resolutions in answer to the foresaid paper as follows, vizt., that the Council had not by that paper made any condescension, but on the contrary had insisted on their pretence of nomination, and had not offered anything material to alter the good opinion the House had of the said Downes ; that the said Downes had signified to the House, that seeing the Council had so great a displeasure against him, he did decline the favour intended him by ye Assembly ; however the Assembly resolved to abide by their first choice. The President finding that both the Council and Assembly insisted, told the Council that if they would not recede from their claim, the said Excise Bill would be lost, to the great detriment of the publick ; that in 40 years time that he had been upon the Island, he never knew that matter controverted with ye Assembly, but once, which was about 15 years agoe when that dispute was ended by passing a short Act for reviving the preceeding years Excise Bill, whereby the former Treasurer was continued. That great sums had already been lost to the Crown, for want of an Excise Bill, and that if the Fleet from Great Britain should arrive before the said Bill was passed, that Revenue (which was considerable and the easiest tax to the people) would be lost and others more grievous must be laid, in leiu thereof ; that two Assemblies having already been try'd, and they insisting upon their own nomination, 'twas probable that in case a new Assembly was chose they would be of the same opinion, besides that there was not time, for that the London Fleet was daily expected. That they ought not to refuse a Revenue tendered to the Crown, only because they thought their power, in the making of a Treasurer, lessened by the Assembly. He gave them several other reasons, and proposed

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to them that they should appoint one Commissioner of the Treasury and the Assembly another; or that they should pass the Bill, with a clause that the same should determine on the signification of H.M. disapprobation of the Assembly's claim, and then put it to the vote, whether the Bill should pass as above proposed. And after much clamour and noise, six of the Members declared they were ready to pass the Bill intire, except the nomination of the said Downes; and two were for passing the Bill as it was. The said six then proposed that the Assembly should be dissolved, and writts immediatly issued for chosing a new one. Whereupon the President declared he would have the opinion of H.M. Attorney General and Councill at Law, which they gave him May 26th, to the purport following; that they thought all proper remedies should be tryed rather than a dissolution, and were of opinion that a prorogation would be better, least the London Fleet should arrive; that by a prorogation all former proceedings would fall, and the Assembly would be at liberty to nominate a new Treasurer. On June 6th the President communicated this opinion to the Councill, and that the event had justified ye same, the Fleet being then arrived, and therefore he proposed the proroguing the Assembly for one day; which was done accordingly. On June 7 the President advised the Council and Assembly to unanimity, and to pass a new Bill in such manner that all controversies might be avoided for the future. The same day the Assembly did pass a new Bill, and therein named Mr. Guy Ball for Treasurer, which Bill was sent up to the Councill, and on the second reading was referr'd to a Committee with directions to them to nominate another person in the room of the said Ball. Thus that matter stood when the last accounts of June 11th came from that Island; and we are inclined to believe that this dispute between the Councill and Assembly will continue till H.M. pleasure shall be known therein. Whatever reasons the majority of the Councill might have not to pass the Excise Bill, wherein Richard Downes was nominated Treasurer, and how well grounded soever their claim of right may be to approve or disapprove of such officer (for further they do not pretend to carry it) yet when the Assembly upon a prorogation had dropt their former nomination of that person, and passed a new Excise Bill, in wch. another was nominated Treasurer, and had thereby in a manner given up the point insisted on by the Councill, we are of opinion it had been advisable in the Councill to have closed in that expedient, and to have consented to that Bill, especially after the exhortations given them by the President to consider what damage would unavoidably accrue to the Island in the loss of that Bill. For prevention whereof and for putting an end to the present dispute between those two parts of the Legislature touching the right in question, we humbly propose that directions be sent, so soon as conveniently may be, to the President or Commander in Cheif there for the time being, to represent to the Councill H.M. great concern for the peace and welfare of the Island, her just displeasure that any dispute has arisen to create heats and animosities amongst her

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subjects, or to obstruct the necessary service and security of the country, and that he be required to exhort the Council in the most effective manner, to give their consent to the said Excise Bill, if not already pass'd into a Law, or to such other Excise Bill as shall then be depending, the doing whereof, as before is observed, can be no prejudice to their claim of right to approve or disapprove the person therein nominated by the Assembly for the office of Treasurer, it not appearing that the Council has any objection to the qualifications of the persons so nominated. *Autograph signatures.* 7½ pp. [C.O. 28, 43. No. 48; and 29, 12. pp. 251-260.]

Aug. 30.  
Whitehall.

**378.** *Duplicate of No. 373.* [C.O. 5, 1335. p. 54.]

Aug. 31.  
Barbados.

**379.** Col. Lillington to the Earl of Sunderland. *Refers to* former letters, since which nothing has occur'd worthy your Lordship's notice, save that upon the Council's amendment of the third Excise Bill sent them up by the Assembly, and their incerting of another person in the room of Guy Ball Esq., who was appointed Treasurer in the said Bil, the Council have assigned this only reason for their rejecting him, viz., that he was a member of the Assembly. By which the Island still remains under the melancholy and unsafe circumstances of wanting a revenue, wherewith to supply the emergencies of the Government, and without any provision for any accidents, tho' never soe pressing. With impatience I wait H.M. pleasure and determination of the controversie depending betwixt the Council and Assembly of this Island, in which I flatter myself my conduct will be found impartial; and my endeavours with the Assembly, and then the Council, to make one of them recede from their pretensions, and yeild to the necessities of the countrey be approved, and found far from encouraging the Assembly in the dispute, as the majority of the Council have charg'd me. I humbly begg your Lordships' favour in the quickest dispatch of such H.M. pleasure and determination, and that it may for the future soe settle each of their pretensions, that they may not again produce such mischeivous and dangerous consequences to the safety of this Island. I inclose a list of such Gentlemen of clear estates and reputations, whom I judge most worthy and capable of the honour of serving H.M. as members of her Council, etc. I have liv'd some years above forty in this Island, and have bore the honour of being one of H.M. Council here, for upwards of 20, and no person can, or has yet taxt me with receiving what was not my due, and 'tis too late now to begin to die a young knave, etc. *Signed, G. Lillington.* 2 pp. *Enclosed,*

379. i. List of causes depending in the Court of Errors held before the President and Council, July 29, 1710. (7).  
*Signed, A. Skene.* ½ p. [C.O. 28, 43. Nos. 44, 44 i.]

Aug. 31.  
Whitehall.

**380.** Lord Dartmouth to Governor Dudley. The Queen commands me to acquaint you, that as she has formerly taken into consideration the sending over into New England such a

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number of land forces as joyn'd with those under your command, and such as the neighbouring Colonys could have furnish't, might have been of strength sufficient to beat the French of Canada and North America, so H.M. had this year caused all necessary preparations to be made for this expedition, which H.M. has been forced to lay aside for the present by reason of the contrary winds which happen'd, when the season was proper for the Fleet to sayle, and in regard of other important services which interven'd. The Queen hopes to receive a good account of the Expedition against Port Royall, having sent away last spring Col. Nicholson, with such Commissions *etc.* as were necessary, and she is very well pleased with the accounts she has received of the zeal with which her subjects under your Government embraced this undertaking, and of the forwardness they expressed to promote it. H.M. therefore for this reason, and out of her tender care for their good and prosperity intends to pursue this design as soon as the state of her affairs will permitt it, being very sensible of the great advantage which may be thence expected. And as H.M. will not be wanting in her endeavours to promote whatever may conduce to the welfare and security of the Colony under your Government, so H.M. doubts not but that all proper measures will be effectually taken there for the common safety and interest, which H.M. earnestly recommends to your care. The Queen would have you communicate this letter in the usual manner to Her loving subjects. *Signed, Dartmouth.*

*The like letter sent to Governor Hunter, the Governor and Company of Rhode Island, and the Governor and Company of Connecticut. [C.O. 324, 32. pp. 20, 21 ; and 324, 31. pp. 4, 5.]*

Aug. 31.  
Whitehall.

**381.** Same to Col. Nicholson. The Queen having thought it necessary to lay aside for this year the Expedition designed against Canada in regard she could not spare a sufficient number of forces from other important services, I am commanded to acquaint you with it. *Signed, Dartmouth. [C.O. 324, 32. p. 21 ; and 324, 31. p. 6.]* The like letter to Col. Vetch.

[? Aug.]

**382.** [*Lt. Governor Usher*] to the Council of Trade and Plantations. Humbly lay before your Ldshps. names of persons for Councillours ; Capt. Richd. Garish, George Jeffrey, Capt. Jno. Wentworth, Capt. Theoder Adkinson, Richd. Hilton, Nathanaell Waer : formerly and now give names of such whoe have a principle of loialty in them, and on ytt. accott. onely present them. *Refers to Governor Dudley's charge* that he puts the Government in a flame (*v. Aug. 5*). Am nott afraide of any accusation, *etc.* I am desirous att all times to answer any charge. I am for Croun Govermtt., have spent my estate for suportt thereof ; the Commonwealt Governmt. in Assembly now broken, and representatives, persons for honour and justice, you will nott finde many adresses wth. agency, former adresses all indited by H.E., for interestt consented tto. *Repeats suggestion of enquiry into Agent's accounts, etc. (v. Feb. 1708 and Aug. 5*

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1710.) If an order comes to H.E. if possible will finde a salvo : pray an order to Genll. Nicholson to inquire into truth thereof ; and alsoe of anything formerly or loosely I have writt. Secretary and Treasurour noe comistions since this Queen's reign. Treasurour has nott given security for his place. Bookes of Records in Major Vaughan's custody, wch. belongs to Secretary's office for a suportt thereof as a perquisite unto itt, *etc.* An informed H.E. represents ye Governmts. grantt nott enough to maintain his table, well known what Governmts. give, wch. with proffitts and gains in Governmt. judged he lays up £1000 per annum, clear of all charges, though another person of honour and justice mightt nott soe much make. In managing the war great care wth. a vastt expence aboutt 500 men in pay. Service they doe is now and then on frontiers marching aboutt six miles in the woods a scouting and soe return, the enemy all the while within 3 to 9 miles nightt and day on frontiers, H.M. subjects and lives taken a way, poore country, impoverished, and all for wantt of good conduct, troopes sentt butt signify nothing, and when they march, one days march aboutt 10 miles, next day six miles to next town, thus things managed. Ye land mourns under burthen thereof : judge you'l have accott. from better hands then mine. Governmt. in N. Hampshire carryed on by Councill, Governour apointts Assemblys to sett and raise mony when neither Governour nor Lt. Governour in province. There Actts. pass outt of Governmt. Queen sends her letter directed to H.E. *etc.*, with a new seal to break the old. Governour sends ye letter and seal to Secretary for Councill to receive, and break ye old. I knew nothing of itt, till I came into ye province, there found the Queen's order : in Councill did se ye old seal broken : thus my lords am I treated by ye Governour, wch. judge very hard, humbly conceive all orders recd. from Crown should be putt in execution either by H.E. or Lt. Governours in person on the place, and nott under pretence for Crown Governmt. sett up Comonwealth. There is 3 persons whoe judge Queen noe rightt to soile or Governmt. butt all in people : vizt. Major Vaughan, Richd. Walderen, Samuell Penhollow. I have nothing agt. the gentm., onely want of due royall principles.

*No date or signature. Endorsed, Recd. 20th, Read 23rd Nov., 1710. cf. Aug. 5. In Mr. Usher's hand. 1½ pp. [C.O. 5, 865. No. 53 ; and (abstract only) 5, 913. pp. 278, 279.]*

Sept.—Dec. **383.** Permit for 10 ships to sail for the West Indies without convoy. [*C.O.* 324, 32. pp. 22–51.]

Sept. 2. **384.** Col. Lillington to the Council of Trade and Plantations.  
Barbados. *Refers to* letter of Aug. 1st, “ by the *Greenwich* man of warr who sayled Aug. 3, since which nothing has occurred worthy your Ldships' knowledge, but that we still lye under the same inconvenience of not having a Treasury *etc.*, the Councill still insisting upon their Representation, and the Assembly upon their custom of nominateing a Treasurer. I hope the determination of that matter is forwarded to us, that we may noe longer lye

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under the dismal apprehension of an attack without mony to support us," *etc.* *Signed*, G. Lillington. 1 p. *Overleaf*,

384. i. Same to Same. Barbados, Sept. 14. Encloses following, and repeats part of preceding. *Signed*, G. Lillington. *The whole endorsed*, Recd. 13th, Read 15th Nov., 1710. 1 p. *Enclosed*,

384. ii. Answer of the Assembly to the Council's answer to their proposal of a conference. Sept. 6, 1710. *Endorsed*, Recd. Nov. 13, 1710. 6½ pp. [*C.O.* 28, 13. *Nos.* 48, 48 i., ii.; *and (without enclosures)* 29, 13. pp. 317-320.]

Sept. 2.

**385.** Col. Lillington to Lord Dartmouth. *Repeats* Aug. 31. *Acknowledges* letter July 20. I most heartily congratulate your Lordship *etc.* Since the above, nothing has happen'd worthy your Lordship's knowledge, but that we still continue under the same misfortune of having no Treasurer or Treasury to defray the charge of defending this H.M. Island, *etc.* I humbly begg your Lordship would lay that affair before H.M. for her determination as soon as possible, *etc.* *Signed*, G. Lillington. 2½ pp. [*C.O.* 23, 48. No. 45.]

Sept. 4.  
Whitehall.

**386.** Lord Dartmouth to the Council of Trade and Plantations. Having laid before the Queen the Representation, which you sent to me about the dispute between the Assembly and Council of Barbados, (*v.* Aug. 30), H.M. has commanded the Attorney and Solicitor Genll. to examine the Charter of that Isle, and report their opinion of the matter, which as soon as it is done, will be laid before the Genll. Council. H.M. would have you then attend, and explain this matter, of which I give you notice, that you may come the better prepared, and as soon as a day is appointed for the Council to meet, I will let you know it. *Signed*, Dartmouth. *Endorsed*, Recd. 4th, Read 7th Sept., 1710. 1 p. [*C.O.* 28, 13. No. 38; *and* 29, 12. pp. 265, 266.]

Sept. 5.  
Whitehall.

**387.** Mr. Popple to Col. Quarry, Surveyor General of the Customs in America. Mr. Pulteney having received two letters from you dated Dec. 2, 1709 and Feb. 10, following, the same have been laid before the Council of Trade and Plantations. They are well pleased with your care in asserting H.M. just rights in Maryland (*v.* Dec. 2, 1709). When the Acts passed by the Assembly shall be transmitted to their Lordships, they will take the same into consideration, *etc.* H.M. has been pleased to nominate Col. John Corbet to be Governor of Maryland, whose Commission and Instructions are now preparing. Not having sufficiently explained yourself in what you write touching my Lord Lovelace (*v.* Dec. 2), I have nothing from their Lordships to say on that head, but to inform you that the Act passed at New York for *regulating and establishing fees*, has been repealed (Dec. 15, 1709). The Order of repeal was delivered to Col. Hunter before his departure from hence; and their Lordships hope such prudent methods will be pursued by him, as will tend to the good

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of that Province and to the support of H.M. Officers there. You would have done well to have given their Lordps. those instances you mention of the wrong steps that have been taken by some Governors in recommending persons to be members of H.M. Councils, for unless they knew particularly what you hint at, they cannot so easily avoid or remedy the inconveniencies that may proceed from such recommendations, therefore they do expect that in your next you do more fully inform them in this matter. Their Lordships not having received any acct. of the present confusions in Pennsylvania, either from Mr. Penn, or the gentleman sent from thence to represent the same, I have only to tell you that when anything of that nature do's come before their Lordps., they will do what shall be found proper therein. [C.O. 324, 9. pp. 443-445.]

Sept. 7.  
London.

**388.** Mr. Dummer to Mr. Popple. This moment a mayle is come to London from the West Indies by the *Sophia* packett boate, who left Jamaica July 23 last out and home, 108 days. Signed, E. Dummer. Addressed. Postmark. 1 p. [C.O. 323, 7. No. 4.]

Sept. 8  
Whitehall.

**389.** Lord Dartmouth to Governor Dudley and Governor Hunter. This will be putt into your hands by Mr. Dungan a very near relation of the Earl of Limerick who has committed to him the care of his estate in H.M. Plantations. I desire you will be pleased to show this gentleman all the civility you can, etc. Signed, Dartmouth. [C.O. 324, 32. pp. 21, 22.]

Sept. 9.  
Antigua

**390.** Governor Parke to the Earl of Dartmouth. Acknowledges letter. Repeats Aug. 16 etc. All the favour I begg of your Lordshipp is, that at your leisure you would read all the papers here sent, and then if you think I deserve your protection I begg it, that I may not be oppress'd, only because I am not of the Republican party; I know no other reason some great men have had for the hard usage I have met with from them. Mr. Nevine who manages the complaint is a Scotch Cammaronian, and at my table before they thought of any complaint justefied the assassinateing the Archbishopp of St. Andrews, and cutting off King Charles his head, and refused to drink prosperety to the Episcopall Church of England, though I began it. I gave this accompt of him, which I beleive was the cause he had so good a reception, and my resenting his behaviour was the cause of our first dispute. Mr. Edward Perrie, the Commissioner of the Customs here did the same, and is a profess'd Presbyterian and has never received the Sacrement in the Church. I sent the Commissrs. of the Customs an accompt of this, and also to other great men, and withall that he by his neglect had lost the Queen above £3000, yet his being a Presbyterian was such merriit, that instead of being removed he was made Surveyor General of the Customs of Barbados and all these Islands. This Perrie has a brother in London who has a pattent for the Marshall's place, which was forfeited by his not comeing over as his pattent

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directs after his leave was expired, the place is grown of so little value that he did not think fitt to be at the charge to renew his Prevy Seal for further leave ; and I haveing power to fill all vacancies, I put in one, he has since taken out a further leave, but the Attorney General and Queen's Councill informs me that he haveing once forfeited his pattent, and I haveing given it by my Commission to another, my Commission cannot be superceeded but by a new patent from the Queen, which if so, I beg your Lordshipp to favour me so farr as not to let him have a new patent, and if it be necessary to have the Queen's Patent, that Mr. Michael Ayon, whom I have put, in may have it, for he very well deserves it, and I will order my Agent to take it out for him. *Repeats postscript Aug. 16.* My Lord Sunderland takes no notice to me he received my letters, but writes to Col. Jones to inquire who of the officers and soldiers had affronted any of the inhabitants and to punish them. I order'd him to call a Court Marshall of the officers and to follow the rules prescrib'd by the Articles of Warr, which was refused by him and all the captains, except Capt. Newel. I ordered Capt. Morris to go with his company to Nevis and not to leave that Island without my order, and Capt. Buer the Adjutant to see the several companys exchanged, and then to stay with his own company at St. Kitts, but Capt. Morris without my leave and contrary to my possative orders, is gon to England, and Capt. Buer never saw any of the companies exchanged, nor went to his own at St. Kitts, but went and stayed at Nevis. They esteem my Lords Sunderland's letter to Col. Jones is superceeding my Commission, for on my threatening to suspend them, they laugh'd, and said my Lord Sunderland would restore them and suspend me. King William broke Col. Lillingston for comeing from Jamaica without the Governor's leave, and it will be strange if Capt. Morris keeps his comission, that is gon and left his company, when I gave him possative orders to stay at Nevis and not to quit that Island on no pretence whatsoever till I sent him orders soe to doe. If I live to come home, I will call both him and his Col. and Capt. Buer to a Court Marshall, and lay the condition of the poor soldiers before the Queen. I hope they will find justice somewhere, and not let the Col. and Capt. divide £14,000, which is the pay of the Regiment, without giving any part to the soldier[s], many of which have perished for want, they had no clothes for two year. Your Lordshipp may find their petition which I sent home. I have not appointed a Lieut. Governour for Montserrat, for my part I think the Queen may save that expence, except a very honest man that is a perfect stranger be sent out, for to make one of the inhabitants, who perhapps is related to all the Island, he must let them do what they think fitt, or they will soon make him glad to quit his Government, and the President of the Councill without a sallery will officiate as well as he will do it with one, for he will be at no more charge then he was at before. The Islands are all very healthy and I hope will so continue. I had a commission from the Duke dated 1703 for Col. of Foot. I have writ severall times to be made a brigadeer, and some

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younger Colls. then mysele are now Major Generalls, but my Lord Sunderland never would lett me be preferred. I hope your Lordshipp will let me have justice done me. and have my commission accordingly. *Signed*, Daniel Parke. 4 pp. [C.O. 152, 42. No. 41.]

Sept. 9.  
Antigua.

**391.** Governor Parke's reply to the articles of complaint lodged against him. *Article 1.* They pretend I scandalously traduced two persons of high quality in the Administration, in order to deprive me of their protection. Not a gentleman of the Council ever heard me make any such declaration as they say I frequently and publicly made. They only produce one witness and he goes but halfe the length of the article; and he is a wretch too low for my conversation, whose character in the interrogatories prepared for him (118), and which had exposed him if he had not avoided them, by slipping off the island. Another, indeed, a creature still meaner, reports only on hearsay, *etc.* (2) The second Article is soe clearly answered by the Councill, there is little worthy of observation in it but the full tide of mallice and ingratitude that runns through it; the charge is no less then thirsting after innocent blou'd, which long after the Gentlemen of the Councill are so little conscous of, they confess they agreed to what I did, and think I did no more then my duty. Severall people swore, indeed, very freely for this gentleman, but I had so lately so strong a prooffe of their inclination to bring off their countrey men, they haveing clear'd Mr. Poxon of the barbarous murder of Col. Johnson, who had been their Chief Governour, for which H.M. directed that he should have no employment for ever in the Island, that it appeared plainly my duty to be very carefull that none of the subjects of the Queen my Mistress might be murthered with impuneity. But all my care has been insufficient, two gentlemen eminent for the inoffensiveness of their conversation haveing since been barbarously killed, but the jury of inquest would not bring in who killed them, tho' 'twas notorious to the whole Island, but by thus bringing off one another they laugh at the laws, despise its penaltys, and do any wickedness they are inclined to. But when I add to that, the certain information I recieved that a jury regularly summonsed by the constables were dismissed by the Coroner to choose another that were friends to the person charged with the murther, I had double reason to be cautious, *etc.* The Corroner also as well as severall other persons thought him guilty, whose depositions I have sent you, as well as some of another opinion, but it has since appeared this Gent. who would seem thus wronged purchased of the Corroner the seasonable favour of dismissing an impartiall jury, whose verdict he had so much reason to apprehend, *etc.* There is nothing these people will not carp at, and the pardon I granted him for manslaughter, which I afterward on the sollicitation of him and his family granted him, explaines in this case how sadd a fellow he is, *etc.* This ungratefull silly fellow says that I urged him to take his pardon that it might be in nobody's power to injure him, and yet in the next breath he says I expected

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a present. What he says is inconsistent and ridiculous, *etc.* (3) As to questioning Col. Codrington's right to a whole Island *etc.*, it had been a neglect of duty to H.M. if I had not asserted H.M. right, after which for the sake of peace I proceeded no further then to enter it in Councill, that the Lords of Trade might see it, and H.M. be judge of her own title, *etc.* They can muster up but one more case (*No.* 57) of my alledged seeking after other men's estates, and that ownes it was an escheat, which being a knowne perquisite to the Government, I have by my Commission as much right too, as any of my predecessours, but this man they bring for them gives a proof of my good nature, that I not only gave him the refuseall, but would have sold it him for a verry litle, which was more then I was obliged to, *etc.* The next heir of Col. Christopher Codrington, who is now in possession of that Island acknowledges in the Councill's answer to that Article (*No.* 195) how farre I am from being guilty. (4 and 5) These articles charge me with the highest acts of violence and turning who I please out of their freeholds, *etc.*, with armed soldiers. The real fact which they thus lowdly complain of is only a charitable order for a few of H.M. poor soldiers to lye under cover in an open uninhabitted shedd of eight foot square, not worth 40s., and which was twice forfeited to H.M. by the knowne laws, and only pretended to, by an infamous woman, in fowle language which the soldiers might possibly returne in kind, and which I offer'd to pay her tennfold, if she had any right too. But the whole Constitution or Legislature, as they express it, being struck att, by my denying them so essentiall a priviledge, as their having anything to do with this scandallous woman, and their squeaking for their priviledges when they would ingross the whole Prerogative, turnes on them the barefaced iniquity of their complaint. If this woman had been a servant to any member of their house, they might have said itt affected them, or had any of them pretended to the House there had been some shaddow of a pretence to hear ye cause. But to assume to themselves a power of determining disputes in law noways concerneing them, setts aside the course of Justice, ingrosses the executive power, and makes all the Courts of Law and Equity to center in themselves, and be alltogether as useless as they would have H.M. in attempting to make a cypher of him she honours to represent her. Which how much they deserve, apeares by their giveing sentence in a cause no ways before them, on hearing one party without regarding the other, and by their continueing obstinate after they were answered to a demonstration by a crowd of wittnesses and by the Councell as apeares by the Minutes (*No.* 195). Equally honest is their assertion that I denied that their Assembly had any priviledges, *etc.*, when long before I fully explained myselfe thereon in my message June 11, 1708, "as to my telling you I knew of no priviledges you had, 'twas not that I thought you had none, but that I was a stranger to them, . . . I should be verry gladd to allow you to have the priviledges the House of Commons have, provided you would ask for no more." (Minutes of Councill.) For their hearing

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such causes as these, their assumeing to themselves a power to take up vessells, their agreeing for them, and passing warrants for their payment, their recommending all officers, from the judges to the gunner and paying none but whome they recomend, are such essentiall parts of the executive power, that the Parliament of '41 never pretended they had any right too, and few will believe their libertys to be in danger, when I denyed the Assembly nothing claimed by the Brittish Parliamt., whose priviledges are the envy of all other parts of the Christian world. (6) The sixth Article accuses me of altering of the writs for electing the members of the Assembly, but the Minutes of the Councill, Feb. 17, 1707, plainly proves the writts were ordered in Councill, and the answer of Col. George Gamble (*No.* 184) plainly proves that in altering them I acted as I was obliged to do by law. What Mr. Kerby swears for them (*No.* 91) only shows what sort of a man he is, who while Secretary betrays what he pretends he was intrusted with, but as the Law is the guide which regulates my actions, I am a litle concern'd at such things. Nor will it be ever thought a fault in a Chief Governour by all legall ways to endeavour to prevent a turbulent factious person from troubling the State, and haveing it in his power to obstruct what is for H.M. service and interest. And the interrogatorie they put to one of the Members of the Councill (*No.* 116), when they were fishing for proofes for this fault and makeing him discover on oath our private conversation according to their lawdible custom, only informes them that I really looked on that gentleman they make such a stirr about, to be an incendiary, and the prime cause of all the troubles of this Island. Thus they have been labouring to prove that I acted the part of a good and exact Governour by endeavouring to keep out of their Assembly (but by legall ways) only one who I had reason to believe would so influence 'em that they would preferr faction to the intrest of H.M. and their country. Which the effect has proved too true, they haveing since neither raised any tax to pay their debts, or made any provision for the poore soldiers H.M. sent them for their protection, (7) The 7th Article continues the cry of their Constitution being invaded, and they instance in the case of Capt. Perrie whom I refused to admitt to take the oaths, and admitted one Capt. James Nisbett in his roome. Now as this Article informs you, I by my place administer the oaths to the Members of the Assembly before they sitt there, as the Lord High Steward does in England, and am equally oblig'd to administer the oath agreeable to the returne of the proper officer, nor can I swear in any other person, if I had ever so great an inclination to it, so plainly was I oblig'd to swear in this Nisbett, and how hard is my fate to be loaded with the very reproaches for doing my duty, which I could only deserve if I did as they would have me, for I told them I was oblig'd to sweare in who ever the Sherriff returnes, yet if on any complaint or petition to them they should adjudge any other person duly elected, I would administer the oaths to whoever was adjudged so by their house. They complaine further that the Assembly was in a few days after dissolved,

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which to be sure was a great breach of their priviledges, where they had so many weighty affaires before them. But what good could I hope would be done by such madd men as rave at me for swearing in such members as were returned by the Sherriff. But with their usuall good understanding they unluckilly give themselves the reason why I dissolved them, because they would not esteem themselves Representatives of the People, nor would do the business which as the People's Representatives they ought to do, while they were under such jealousies of their Constitutions. So plaine was the necessity of dissolving them, when they would proceed on no business, nor take care of any of those weighty affaires which they say the people they represented choose them for, and which the Councill unanimously advised me to. The last complaint in this Article is so darke, it is plaine when they made it they did not desire it should be understood. They word it that I have given the same obstruction to the present Assemblys, and continued in my obstinate denniyall of the just and undoubted priviledges of the Assembly. If they would have it understood by the same obstruction, the same dispute about swearing in Mr. Perrie, the foregoing answer would serve for it, and save me the trouble of exposing them for the greatest piece of folly such a body of men were perhapps ever guilty off. The fact is thus; it has been the custome (as appears by the Minutes) that all Bills after they were pass'd should be signed by me and the Speaker before they were transmitted to England, and the manner was when the Speaker came to me wth. any Bill, we signed them together, and in point of rank I signed first. But being at St. Christophers at the opening of this Assembly, and while severall bills were gone through in it, the Lt. Governour and Councill sent to the Assembly to signe them, in order to send them to me, which they refused to do till I hadd pass'd severall other bills that were before them, makeing their owne Speaker's signeing any bill the fiat that made it a law, without which it should have no force, though passed both Houses and agreed to by me, which in their own stile was so barefaced an attempt on the first branch of H.M. Sovereignty over them, and of an independency from the Croune of England, that no one that had the honour of H.M. Commission could by any meanes consent too. And tho' they will sometimes say they do not pretend to H.M. negative voice, the Militia and tax acts which they passed and the Councill and I agreed to without any amendment not being owned by them for a law, because not signed by their Speaker, does fully prove their assumeing to themselves that power, which is not only much superiour to the House of Commons in England, but to Her Majesty's, altho' they had not resolved with what title they will dignifie and distinguish it, which the Councill's answer expressly says no Assembly before thought of, yet without it they would neither quarter the soldiers nor pay their publick debts and retrieve their credit, then expiring by their late composition (they paid the Countries debts in sugars at 20s., when they might have been bought for 12s. 6d. with goods, and 10s. ready money) and which is now so perfectly

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destroyed by their declaring they will raise no money till they stand possessed of these Prerogatives which they call priviledges, that no one on any account will trust them. They decently conceal from H.M. that their quarrel with me was for my not complimenting them with Her chiefe prerogative, and that they had ventured looseing H.M. Island, starveing her soldiers and destroying the chartell to gaine it from me, when they had in vaine attempted to bribe me by assuring me (as they express it) of suiteable returnes of gratitude. But the Lords of Trade have declared I acted agreeable to my trust *etc.* Mr. Crump in his deposition owns that wee being in apprehension of an enemy, I desired him to tell the Members of the Assembly, that if they would lay aside their claime or dispute about the Negative Voice, I would forthwith call them together, and as this is out of the mouth of a publick enemy, who thereby acknowledges I took more care of them then they did of themselves, *etc.* He says they in generall were for meeting in any manner, but did not know what I meant about the dispute of the negative voice. What could be expected of men that could be so willfully ignorant as not to owne they understood what had been so long disputed, and for which I had too often told them I could not convene them, and which they had resolved not to recede from, and which their Speaker in this very deposition declares he understood? But to put it past dispute how litle they inclined to meet notwithstanding their present danger, he owne the majority would not meet without this provisoe, that I removed the ordinary guards from the towne, by whome they said they had been insulted and assaulted. But since this Court of Inquisition has been erected, and my Enemy Col. Jones has examined into the behaviour of the soldiers, to the paying for a pint of milke, and no complaint haveing ever been made to the said Court or Colonel that any one Member of Councill or Assembly or any one Gentleman of the Island had ever either been assaulted or insulted by any soldier since they have been here, what could I imagine by such a request, but that they designed to do publicly what they had miscarried in by night-worke, which as I had often been warned off. This Gentleman palliateing my designed murther by calling it calmly a wound I recieved in the highway, as if it was no more then a quarrell, added to the attempt, that God Almighty has since brought to light, of a Gentleman of the Assembly, and other his friends, probably of the same body, endeavouring to hire a soldier a second time to shoot me, displays what they then too probably designed. But men who could speake so slightly of assassination, and bring in false wittnesses to accuse them that search'd for such ruffians, must curdle the blood and create a horror by thinking of them. (*Nos.* 59, 60, 70.) If the woman in question was ill, the doors should have been opened and no ocation given to break them, *etc.* But if the officers were blameable for the manner of dischargeing their duty, is that more my fault then it is a Sherriff's when his officers are insolent. The Adress attested by Mr. Crump is cramm'd fuller of more lyes then perhapps such a body of men in any age

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were almost knowne to be guilty off. It begins with saying they had assured me by their Speaker that they were willing to lay aside the dispute of the manner of passing laws, when Mr. Crump directly swears that they pretended they did not know what I meant about the dispute of the negative voice, so very farr were they from quitting it. And their modest demand of sending the ordinary guard out of towne, they wholly pass by. They say that when they attended me in Councill by my order, and I againe proposed that affair they were determined to have agreed to it, when all the Councill are my wittnesses I adjourn'd them because they would not agree to it. There assertion that they mett in Bayer's Pasture as an Assembly is also notoriously false, the Act of regulating Elections apointing the Members of the Assembly and Councill to be present, but neither as a Councill or as an Assembly, nor did they pretend to do any business, or make any adjournement, or were prorogued as an Assembly must have been. (8) The eighth Article of my overawing elections can be inserted for no other reason then to irritate every Englishman, else my being at St. Christophers before the calling the Assembly was proposed, and severall weeks after they satt, makes it impossible they should not know that this Article as the Councill words it is notoriously false, and that the Minutes prove it soe. But since in all the time between the frameing this Article and their takeing depositions, they could not muster up one to give any countenance to the charge, and all the interrogatories being fresh proofs against them, the reason is evident that they dropt the way of proceeding they begann with of bringing proofes to their respective articles, because they had no shaddow of a prooffe for many of them. (9) They say they have in one year quite forgott the use of their arms, in which they had arrived to a great perfection in, rather then acknowledge how ignorant and unsoldierlike I found them. The only thing true in what they say is, that when we were like to be attacked, I found myselfe at the head of a handfull of such raw, undisciplined men, who, as themselves express it, knew not the exercise or use of their arms. However, I was so unsoldierlike, as they word it, to have my time wholly taken up in intrenching and fortifeing St. Johns. It is very amazeing they should owne themselves they knew not the very use of their arms, and should at the same time complaine I made lines to defend them. But says these soldiers, these lines were too large to be defended by three times the number ; but they are too stupid to be argued with ; if they were not able to defend a strong line well mounted with cannon with an addition of 2000 creole negroes, who could have been made usefull behind it, how could they be able to give them battell, especially since the men that came to attack them very probable knew something of discipline, *etc.* But they say experience has taught them to recieve the enemy at landing, and when outdone to retreat by byways, harrass the enemy, and loose the Island foot by foot. And I must agree, they did loose the Island so before, when they had halfe as many more men, and did harrass the enemy by running away so fast ; and haveing

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this wofull president, I was by no means inclined to have the Island lost so againe. I am afraid the last thing they say is too likely : that if these men had been in the towne, rather than fight, they would have surrender'd at the first push, when they had no byways left them to runn away, as they used to do, *etc.* As to the scituation of the towne, I did not build it, but 'twas my bussiness to make the best of it. There is indeed two hills near it, but till they had brought cannon ashoare, and mounted them, which would have tooke up more time then these Gentlemen would have runn from one wood to another and lost the Island in, they would not have looked on the Towne. And after they had mounted their gunns, from a battery on Church Hill in the Towne I could have annoyed them as much as they could me, and the earth being a strong clay, the bulletts would have lodged in the rampart and throwne no part of it downe, and I took such care in lyeing out the meanders of the line that not any part of it is amphylladed by either of those hills, and if they had continued firing from the hill, the houses being all timber the bulletts would only have bored them and gone through, and tho' they had brought bombs, which they certainly would not, as not knowing they had any occation, yet they would have done litle harme, the streets being broad and unpaved, and every house almost haveing a cisterne of water. But these Gentlemen preferred hideing themselves in bypaths and deserting the defence of their chief towne, and country, to a cannonadeing which they had a great horror for. In three weeks with only three negroes out of every hundred, I made the line round the town, *etc.* If they would have allowed but one in tenn, I would have made it as strong as the lines in Flanders. Yet what they say may be true, for no place within the reach of a cannonadeing can by any art be made teneable to men that will not stand it, *etc.* However, the forfeiting the towne was done by an Act of Assembly and Councill, and which they and the inhabitants would have occation to say looked like a designe to betray them, had I refused it. And if they will be still angry that it was my opinion that a fortified towne makes a better figure, and may make better conditions with an enemy then a towne that is unfortified, they will only make themselves further laughed att. The expression of throwing great gunns from an outworke shows their millitary knowledge and discipline to be much of a piece, but they after explaine themselves to mean drawing off the cannon from Monks hill to St. Johns, my care of which great gunns many of those very Gentlemen when in the Assembly thanked me for. How little capable Monks Hill is of being made defenceible the certificate (No. 168) of Col. Lilly will make appeare, on which the Assembly resolved to proceed no more on the fortification of it. The minutes of Councill and affidavitts will prove I as well deserve H.M. favour as the utmost care can intitle any man to. I have with much sorrow found it so little in the power of a chief Governour to order what quantity of negroes is necessary to make such workes as might defy any enemy in this part of the world, *etc.* The Minutes of Councill will appear

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so amazing to the intelligent world that I should so often begg (as for an almes) that they would spare 3 or 4 negroes more out of a hundred from making sugar, to be employed on workes to preserve themselves and familys from the fate of their near neighbours, (*Nevis*). One reason why the Militia is in no better order, [*is*] the poor are so oppress'd by the rich who have a mind to their land, they are forced to sell it to them and leave the island. Thus Dickinson's Bay, which formerly furnished a company of above a hundred men, has now but about 10 men in it. Dr. Mackinnen having by one means or another gott all those poor people's lands into his possession, thus the Island is much weaker in people then it was 40 years ago, and will decline every day, and as everybody almost must be an officer, there is no soldiers to discipline, of which Lt. Col. Codrington's Company in Col. Edward Byam's Regiment is an eminent instance, which consisted but of four men, vizt., himselfe, his Lieut., Ensigne and one private man. Two others indeed he said belonged to it, but they were sick or off the Island. This I would gladly have regulated and have put the four regiments into one, which then would have been a very small one, and their Royall Regiment of Carrbineers into a troop of dragoons, which then would have been a very weake one. But this would have raised a hurricane greater then any their clime is used too. And so to break into their constitution and robb them of their honours would have been worse then delivering them to the French, and all the punishment in the world would be less then I had deserved. To my issuing orders contrary to their Councill of warr, that is to the opinion of eight Militia Captains and four field officers, the Councill tells you it is untrue, I never order'd it. But I should have very ill have kept up the dignity of my post, and show'd I had learned very litle of the greatest Capt. of this age, had I not given my opinion to officers so much younger and less experienced than myselfe, because they differ'd with me. *Refers to depositions.* They abundantly prove I took much more care of them then they did of themselves, which added to the paines I tooke in acting the Engineeer for their workes, and overseer for their negros, and rideing 20 mile a day in this sultry country, might make me expect other thankes then a charge of High Treason in designeing to deliver them to the French; for which if they deserve not to be branded, as they do their negroes, for so barefaced and false an accusation, and such monstrous ingratitude, I leave the impartial world to determine. (10) They are very angry that I should declare in Chancery that I would judge according to reason and equity. Was that ever before thought a fault? *etc.* But they add, I will not be govern'd by the presidents of the Courts of Chancery in England, which cannot be true, it being my custom to send over to England any intricate cases, as the Councill observes, (*No.* 195) and declares I never pronounced but one decree, in which they were my assistants that it was reasonable equitable and just. As to my being arbitrary, altho' I am sole judge, I called the Lt. Governour and Councill to my assistance, who all agreed with me. But it did seem to them very abomin-

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able and without any president that a stranger that came out of England should recover his money from an inhabitant, and that he should be forced to pay it and when they consider'd this inhabitant was then my intimate friend and the Chiefe Justice of this Island, and one of the most considerable men, they immediately forme themselves into caballs, and in proportion to the greatness of their debts, they concieved great horror, in apprehending they might be made to pay them, and accordingly made their subscriptions for money to gett me removed. I never pretended to be a lawyer, and if any of my decrees are faulty, why do they not apeale from them? *etc.* Whoever will sit in Chancery in these little Islands that are joined so closely in alliance together, and determine causes without regarding the ranke of the person he offends shall in one yeare be as uneasy as I am, unless it be found to be for H.M. intrest better to support him. But they haveing so often mentioned my low opinion of their laws, I will freely acknowledge it, and have frequently pressed them to alter, *etc.* *Criticises* an Act of 1698 protecting debtors, and an Act empowering the sale of lands to pay publick dues. The chief men in the Island joined in confederacy to buy them, which grew thereby so large twas in vaine to complaine against it, there being few considerable estates of which some part is not from the spoiles of the fatherless or absent and the rights of widdows, nay so barefaced was their combination of injustice, that they agreed among themselves not to outbidd one another, so pretending to buy, they took from the children the possession of their fathers, who in vaine cryed out against that which the sacred name of the Law was prostituted to debarr them from. Thus acres of land in the heart of the country has been sold for £20 when one acre of it is worth the money; similarly the 460 acres of Col. Francis Phipps' land was sold, when 10 honestly sold would more then have paid them what was due to the country. But such things as these are contrary to the equity of the English laws, which it was purposely calculated to evade, and to dispossess absent people as well as orphans of their freeholds, who knew nothing of the matter, but besides the naturall injustice as its contrary to the Law of England, I presume it is in itselpe void, and I don't question but those injured orphans will find relief from the fundamentall laws of their mother Kingdome, *etc.* Another of their charges against me in proceeding in the Chancery contrary to their laws is for allowing the seale of the Prerogative Court of Canterbury as evidence before me, when their Acts allow the Seale of every Corporation, altho' I am by Instructions June 26, 1707, order'd to governe myselpe in relation to probatts of wills by the annexed opinion of Sir E. Northey, March 28, 1707, wherein he says that when letters of administration arive in the Plantations under the Seale of the Prerogative Court of Chancery, they are to be allowed there, *etc., etc.* Their law of 1698 seems to secure 'em from the effect of a hundred such Instructions, while they cannot be made to pay anybody unless they please, which they never do please to do to a stranger, it being an avowed maxim never

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to give any cause how just soever on the behalfe of a stranger against an inhabitant. Thus if endeavouring to make new laws to compell them to pay their debts is a fault, I plead guilty *etc.* As to the insinuations of corruption they bring against me, Lt. Col. Wm. Codrington makes the greatest figure. But tho' he is a Gentleman famous for severall villanys, and for counterfeitting my hand, and false indorseing a cockett, and therefore not very like to be scrupulous in anything, yet he neither pretends I tooke a bribe or asked one. He only tells a discourse which he had with one who came from Capt. John Roach's house, where I had not been for a twelvemonth. That and all the long story of my keeping the will is proved abominably false by Nos. 198, 183. The buying up debts att halfe or one third part of their vallue, especially after an injunction makes an ill sound, and it must looke ill in England (where these litle Islands are so litle knowne) for the Chancellor to meddle with the causes that come before him any other then in a judicall way. Whatsoever comes before my Lord Chancellor is determin'd by him, and there the matter ends. But people are here so thinn, and they are so near related everybody is concerned for one side or the other, and if it is possible to make up any cause without a decree, I save the making many enemys. And though I would rather offend every person in the Government then faile in my duty to the Queen, or act against my conscience, yet as things have of late been managed, I have been forced to take more care to disoblige nobody then otherwise I should, and which it would be for H.M. interest, if none of Her Governments lay under the necessity of doing.

And as there scarce is a dispute, but a complaint comes to me of it, before they go to law, I endeavour to prevent it if I can, and when I cannott, he that has the least or no money to mannage his suite continues his complaints: I very often make up such causes before they runn the length of the Law, and save those charges which the practitioners here doe not thank me for. This was the case of Pellachio, he was involved in law, without a penny of money, and subsisted on charity; the debt was just but he could not go on in the prosecution, so he came raveing to me, tells me how neare he is starveing, when, if he had but any part of a just debt owing him, he knew how to gett his liveing. Compassionateing his case, and being urged by him to use my intrest with Redwood his debtor, who pretended to have a respect for me, I sent for him and did all I could to help him, but Redwood haveing no money, which is farr from being unusuall in this country, the Gentlemen of the best estates frequently not being able to command 20s. But the wants of this poor fellow were not to be so satisfied. I was forced therefore to use my intrest to make it up, and tooke Redwood's bond for £120, and I lett him have £60 in specie, and he was to have the rest as I received it from Redwood, and how much he thought himselfe obliged to me, the deposition No. 115 demonstrates, in spight of my enemys, who there appears endeavouring to bribe him to sweare against me, nor till he was dead, and past con-

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tradicting them, they would not have dared to traduce a charity which to his death he acknowledged. £60 in specie is worth 90 in sugars, wch. with the country's intrest at 10 p.c. is 100. So I could have gott but £20 had the money been paid when due, which is against the most establish'd rules of the country, *etc.* They have but one story more since I came to my Government, and that but of £29 14s. 6d. But if it was as they represent it, it would be of no manner of fault, it being my duty (as Ordinary) to administer for such as dye intestate and have no relations. The depositions show my generosity on this occation and that I make no profit (*Nos.* 105, 188, 192.) (11) The eleventh Article complains of my threatening to turn out Judges, and they so Jesuitically word it, as if I had turned out Mr. Watkin's, whome they clamour so much about, when the Councill declares I neither turn'd out him, or so much as any one Justice of the Peace since I came to my Government. And I was so farr from forcing him by an unpresidentiall unwarrantable a mandamus to signe any process, that no mandamus ever issued dureing my administration, and this was only signed, for it was made up between the partys and never issued. But it being the unanimous opinion of the Councill, as they themselves acknowledge in their answer, I must have sign'd it tho' I had been of a different opinion, and it could be no more a fault in me then it was in Mr. Watkins who signed it on hearing the Councill's opinion. Mr. Watkins (*No.* 128) says that severall times when only he and I were together, I blamed him for suffering the lawyers, particularly Mr. Nivine, to use such freedome att the Barr, as reflected on the honour of the Court. I had severall such informations, and reason to believe it by Mr. Nivine's insolent behaviour even before me in Chancery. The Justices, indeed, had been long used to allow him the same freedome of language in the Courts, which he tooke every evening with them in the taverns, which being derogatory to H.M. dignity, I endeavour'd to remedy. As to the petition of Mr. Mallett, I was so farr from countenancing it, that in the publick Court I severely checked him for it, and for what he might after say to Mr. Watkins to excuse himselfe I neither know, nor is it of any moment, he being so very sadd a fellow that he would say or swear or do anything. I had used him with great civillity on account of a pretended letter he brought me from Mr. Godolphin, which afterwards apeareing to be forged, I took no further notice of him, after which he published another very scandallous libell, which when he was taken up for, he accused Jeoffry Duncombe, Dr. Mackinnen, and Mr. Watkins on oath, and afterwards thought it worth his while on oath againe to contradict, to oblige them. And tho' Mr. Watkins did indeed lay downe, and might have heard or imagined I would turne him out, I never declared anything like it, and should have no more turn'd him out for joyneing with the faction then formeing against me, then any other of that party, not one of whome I have ever since put out of the Commission of the Peace, or any post or command whatsoever. But, on the contrary, I have filled up vacancies with those that have signed against me, where I found

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them qualified. Indeed, had I not found him Chiefe Justice, I should never have made him one, so barbarous an action as murdering a man who was unarm'd, would have made him appeared to me not very fitt to sitt as Chiefe Justice in cases of bloud, especially in a country where murther is never knowne to be punished, if the murtherer is a man of any condition. But this Gentleman layd downe as others had done, in hopes the merritt of it would purchase a reversion of mighty favour from my successor, for the Courts being just ended, and the profitts of his place ceaseing, it being 6 months before they were to open againe, he depended before that, the money they had collected would so back their private clandestine Articles, that I should be condemn'd and removed without being heard, and he have his places return'd to him in tryumph. (12) The twelfth Article charges me with direct purjury about a parcell of brandy. If on information of prohibitted goods being landed, I was by oath as they say obliged to seize them, how could I with two wayters do it without planting centinells at suspected places till the search was made, especially in a countrey where the civill officers as the Councill informes you will so seldom do their duty, and how necessary all this care was, appeares, when, on their clamour against the soldiers I removed them, the brandy was imediately conveyed away, as may well be supposed, since it never was found. Had I refused the officers warrants to search, they might have suspected I was not inclined to seize them. But I had, they say, afterwards £150 bribe from Mr. Chester. I would faine know for what? *etc.* The Councill observes the seizure would have been of much greater vallue. As to Mr. Chester's deposition, his malice for my continuall interrupting him in his clandestine trade, there is no falshood he will not runn into. The depositions 56, 57 fully prove the £150 he paid me was for so much justly due to me, which he had cheated me of in a former account *etc.* In the sixteenth Article he againe comes in to prove I took a bribe of him of 10 barrils of flower, for which I forgave a shipp and cargo forfeited to me by Law. Had the fact been as he swears it, he would have been another instance of my good nature and generosity in so easilly compounding so considerable a forfeiture. But the very Mr. Roach they apeale to declares on his oath (*No.* 71) this flower was so damnyfied that Mr. Chester would sett no price on it, when I would have paid for it, long after I had tooke no advantage of the forfeited vessell.

It's condemning the innocent with the guilty, and the accidents of trade are allready so many that the fair trader, after he has escaped the danger of the seas and enemy, should be lyable to be undone by a fellow forgetting his register, or a rascall's privately shipping some prohibbitted commoditys without the merchants or any other freighters knowledge or advantage; for either of these, as the Law now stands, both shipp and cargoe are forfeited, which is so great a hardshipp and discouragement to trade, as it could not be designed by any legislature, so it highly deserves their consideration either to amend or appeale, and is what may save many an innocent familly from ruine, which I should be

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gladd to be the occasion of by observing, tho' it would take the best perquisite from all Governours, and which altho' Col. Codrington made many a thousand pound of, I never gott a halfe penny by. (13) The 13th article is full fraught with generall charges, but barren in particulars. Nothing is so ridiculous as their instance to prove this outcry and injury done Mr. Barbottaine in relation to his butter ; the seizure was occasioned by it's being stopped agoing aboard a French Flagg of Truce contrary to Law, and which therefore nobody cared to owne, and the Gentleman they mention declares on oath, he never demanded them of the Collector, who informes us they lay in the Queen's warehouses till they were spoil'd. As every single act they are pleased to find fault with, they falsely express in the plurall, so in this article of my alteration of Judges must be understood Mr. Pember, who is H.M. Attorney Generall. and the only Judge of the Admiralty I ever made. He is of a good character and family *etc.* (14) The 14th Article is indeed very solemn. The charge is of assumeing a dispensing power, and for trampleing on the Laws in a most barefaced manner, a crime King's lost their crownes for pretending to it. But is it possible to believe that the instance this Article gives of my dispenseing with the powder Act, that these very Gentlemen who make this so heinous a crime in me, petition'd me to do it, and that the whole Councill and Assembly, agreeable to their owne Constitution and customs (*No.* 78) adressed me to excuse the sloopes of this Island from paying this duty to encourage their navigation, and it apeareing to me that there was a sufficient quantity of powder in the stores, and that on such occasions the Generalls were used to grant such petitions, I consented to it, *etc.* (15) The charge of takeing extravagant fees is sufficiently exposed by the affidavitt of the Secretary (*No.* 74) that they amounted not to 40 pistoles per annum for this Island, *etc.* By my Instructions the Councill is to settle all fees. The Councill and Assembly of St. Kitts settled the fees att my first comeing, and I have govern'd mysele according to the table of fees they made. (16 *v.* 12). (17) I cannot deny I have signed of course the commissions of the Peace to all that were in it att my arrivall, to the low mean wretched characters of some of whome I am oblig'd to make no defence, and which if fairly drawne would make it less wonderfull they sign'd such scandalous articles, *etc.* Though they accuse me of being arbitrary, they do not pretend I have put out one J.P. for signeing these articles, *etc.* (18) The 18th Article relates to one Ham I made master of a privateer. The courage of such men is what they are generally more famous for then their morallity, and tho' I will not justifie the killing any Spaniard in cool blood, to escape the perpetuall slavery all their prisoners are doom'd too, yet liberty is so deare, more might be said to excuse the great price he paid for it then twenty other crimes very litle complain'd against. The rest of the story the Councill's answer proves to be false. He lived at St. Kitts before I came to the Government, and long since this action, so that if he is guilty, he may be tryed for it ; nor have they been able to give one instance that I ever

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protected any man from the Laws, *etc.* (19, 20) These articles are so foolish, they expose themselves, *etc.* The credit I have done their Island by the houses I have built in their towne, which before was a scandall to strangers, and which by the fate of builders I shall be a looser, are but indifferent proofs of my "inveterate mallice to the Island," and that I would deliver it up to an enemy, when I have a greater intrest in it, and should loose more thereby then 19 parts in 20 of the Petitioners. So they unluckily tell a story of what I should say at Col. Blackman's to prove the arbitrariness of my disposition, which gave me occasion to prove 'tis so farr from being my disposition (*Nos.* 87, 88), that not one inhabitant has been put into the stocks, or pillory, or has been whipt or duckt ever since I came, *etc.* (21) This Article charges me with exacting 10 p.c. from prizes and refusing to give Commissions to such privateers as would not allow it me, but as the instance they pretend to give of it is by Capt. Roach (*No.* 70) and their very depositions proved to be before the last Act tooke place, that cutt off the Lord High Admirall's tenths, this Article has no more in it then the rest. My fitting out severall privateers for the service of the Islands, and at the request of the Councill when there was no mann of warr here to guard them, is the foundation of this calumny. My share indeed came to above 10 p.c., and yet I was a looser by it. I wish they had explained why they are so angry att my strolling up and down the streets a evesdropping, as they term it, and 'tis strange, if they saw me, I had such salutation from their windows as my small ponyard and pockett pistolls would have been but little defence against. Thus they represent an action the greatest heroes have gloryed in, and which the Historians of all ages have thought worth recording to their honour, *etc.* You may easily imagine that a sea-port town in the West Indies full of punch-houses and taverns, crammed with soldiers and privateers, to be very licentious, and the greatest care and pains is wanted to make it habitable. This fault they accuse me of, has so reformed the town that whereas formerly almost every night somebody was wounded, or murder was cryed out in their streets, they are now as quiet as London within her walls. But before this could be brought to pass, I went the rounds (80, 81, 82) oftner then the watch, and when they sett spys to give them notice of my comeing, I would in a centenal's habit, or in cloathes they did not expect me in, go round the town till I had cured all their disorders by finding out their contrivances, *etc.* They bring no proof to confirm this article, *etc.* But since their taking the publick depositions they have taken some private ones, and one in relation to this article from Capt. Peter Buor, who then slipt off the Island that I might not interrogate him, and have shew'd that the disguise he has seen me in was no other than what I have owned in this Article; and that he was one of the persons I took with me, and therefore a witness of my extraordinary care of this ingratefull people, *etc.* As to their Nine Additional Articles (1) the first begins by saying that I appointed one that came over a private man in the Regiment

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Provost Marshall. Had he not been a Gentleman and qualified for the office they would have alleaged it, but since they cannot pretend either, they undervalue him, and indeed it is amongst them much more reputable to breed their children to the meanest employs than to carry arms as a cadet and to rise in the service of H.M. and their country by their courage and merritt. They further say he gave no security, by wch. they insinuate he could not, but as their own deposition (*No. 72*) contradicts that insinuation, so the whole also is false, for he gave security on my making him Marshall of this Island, but he entered not his security till I had made him Marshall of all the Islands, wch. piece of form if he had not punctually comply'd with might be a fault in him, but how it could be in me who might know nothing of it, few of themselves can find out. They end with saying that he executes all my commands without reserve. Which is agreeable to what I frequently declared, that I would suffer no Marshall to act who would not empannell such juries as I would direct. Which words their deposition *No. 26* is to confirme, but as I remember no discourse like it, I think it needs no notice, till they attempt to prove he has chose any jury who have acted contrary to their duty and that I could have any benefitt thereby. Till when or till some other fault in the execution of his office is proved on him, he will not be thought at home the worse Marshall for endeavoring to put the Laws in execution, *etc.*

(2) The 2nd Article is disproved by the depositions of many disinterested persons (*Nos. 7-28*), which show my moderation and humanity, *etc.* They haveing made the Captain of the Grenadeers a party to this Article, I ought also to cleare his character, he being not only remarkable for being the only officer that had seen any service in this Regiment, but for being more a soldier then generally comes into these parts, and so regular in his conversation that neither before the Court of Inquisition my Lord Sunderland erected against me, or his other High Commission Court, of which he constituted Col. Jones sole Judge, not one complaint came against him, *etc.*

(3) The third Article is still more stupendiously impudent. Deposition (*No. 108*) shows this Tankerd by the confession of his friend designeing to affront publickly H.M. in the person of Her Chief Magistrate. The Deposition (*58, 59*) shows him bragging of his challengeing him and braveing him. The deposition (*145 and 134*) shews him sending a formall challenge by a private gentleman, and the person that brought it suffer'd to returne without the least indignity. The deposition *No. 208* shows you this same Tankerd sitting on a hill like a Generall dispatching scouts seizing passengers on the publick roades, and bringing them between negroe slaves with gunns at their breasts, to his tribuneall. Deposition *No. 145* shows how the Civill Officer in endeavouring to do his duty and to serve the Chief Justice's warrant is near being taken prisoner by these black bandittis, who when they could not cutt him off the roads, which by great good fortune he gained before them, they endeavoured to murder him, and fired their pieces at him, which they durst not doe without orders,

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which, being so extensive as to bring him in alive or dead, explaines what he was to expect if they had gott him, for which meretorious actions by a prodigy of imprudence they forme the 3rd Article, for sending some soldiers to prevent the Marshall's being murther'd in the discharge of his duty in apprehending one who their owne deposition (*No.* 71) does not deny to be no more then the son of an alewife who had been publickly whipp't for her ill-behaviour, *etc.* The latter part of the Article, which is dressed up to begett compassion for the wife and daughter of Tankerd, who it says lay then sick in bed of a feavor, and who were so terrified as at that unseasonable time of night to runn out and leave the house, is one entire lye, which not one of their depositions (42-44) ever pretend too, but acknowledges her to be well and up and drinkeing *etc.* (4, 5) The fourth article is fully answered in the 7th, and the 5th in the 10th. (6) My conversation with the present Treasurer is so fully repeated by himselfe on oath (*No.* 176) I have no occation to add to it. I have been so farr from recieving any present for passing laws, that when their Assembly assured me of suiteable returnes of gratitude (*No.* 173), if I would no longer insist on preserveing to H.M. her authority and power, I despised their offer and lost £4000. The Assembly had settled £1000 for my house rent, but my insisting on H.M. Negative voice prevented their sitting, so that no tax was raised to pay me the said sum. (7) I must returne my Lord Sunderland my most hearty thanks, for had he not been pleased by a letter and direction to Col. Jones to examine into the behaviour of the officers and soldiers of his regiment, it would not have so evidently apeared that nothing can be more groundless then this article. Capt. Phillip Walsh was the only officer they had anything to say too, and I shall not do him the injury to add anything to the handsome defence he made for himselfe. And there was but four soldiers that were charged with any disorder to whom the Col. order'd any punishment, but it apeareing by their petition (131, 146, 153), that they were accused only of scolding with an infamous lewd scolding woman about some two years since, and then complained to Col. Jones, who did not then thinke fitt to punish them, and that they were not allow'd to answer for themselves, I order'd them a regimentall Court Marshall, where their accusers not being able to make out the charge, they never apear'd against them. It is an unanswerable proof of the good discipline I have kept the soldiers in, that the people have had no more to lay to their charge in near four years time, *etc., etc.* The disorders they say were committed on June 1st in no way relate to me. (8) This Article has more truth in it. I did indeed on horseback with the Marshall and others goe to the house where one Denbow keeps a taverne, and commanded the Marshall to seize on some people there, who did accordingly seize and committ them to goale, and I also did declare I would shoot any of those who would resist. The deposition and interrogatorie (*Nos.* 61, 101) will shew you these Gentlemen by force of arms publickly rescued a criminall who had in the night knockt downe one of the Judges of the Island

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and beat him in a most barbarous manner, and how they take him out of the hands of Justice, avoweing the action and using words that border very near upon rebellion, telling the Lieut. Governour they were in a flame, and threatening to fling away their scabbards. Was not this high time to show them I would not lett H.M. be affronted, and the awe they are in of the soldiers, when they are used on such occations to quell such audacious proceedings, when the Constables will not assist for fear who had hidd themselves when I called for them on this occation, and to reduce them without the limmitts of the Laws is a greater grievance to them then their enemies at a distance, *etc.* (9) This Article is but a branch of the last, *etc.* I shall take my leave of them to conclude with (10) the tenth article in considering the state of the Island and the alteration since I came into the Government. The towne is encreased one halfe in people, and the best halfe in buildings (*v.* Art. 19). But as the number of negroes and windmills and sugars they can make is what they vallue themselves on, there were but 27 windmills on my arriveall, and are 74 now. And as Nevis and St. Kitts were destroyed when I arrived and are now in a very flourishing condition, the annual produce of this Government may be twice as much as when I came to it. But 'tis still necessary that some care be taken of a groweing evill, I mean their makeing the poor uneasy on their litle Plantations till they are forced to sell them, after which they soon quitt the Island, which will in time so depopulate it that it's too likely they will become an easy prey to their neighbours, who increase in people as much as this Island declines, which it will do still more till it shall appeare H.M. intrest to extinguish the factious humour that reignes not in this only but in most of Her Governments, which will soon oblige her Governours to fall into their owne intrest, and rather make their fortunes by humouring the people, then ruine themselves by endeavouring to mintaine H.M. honour and the intrest of the Brittish Nation at their owne expense, *etc.*, the perticular intrest of Collonys often clashing with that of the Mother Kingdome. And as everybody endeavours to buy cheape and sell deare, whosoever will suffer the people here to buy European goods at the Dutch Islands, which are very neare us, where they can have them at much lower rates then with us, and will allow them to sell them their produce which they can do much higher, shall allways be well with the people, both which are highly prejudiciall to H.M., it being perfectly the intrest of Great Brittain to restraine our imports to what we recieve from thence, and to make our whole exports to be imported there, to be afterwards distributed as the Law directs to other Nations. I can here give an eminent instance. My couzin Sherrard (now in the Guards) who was here with me, was employed to make me an offer a £1000 a yeare, if I would connive att such practices, which refusing I lost the money, and made them my enemys *etc.*

I am now come to the third and last charge, and am forced to be more serious than their other Articles would allow me. Haveing heard of H.M. piety and devotion, their last attempt

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is under a pretence of religion to bespeake her favour. Good God, that a people who have not the very forme of godlynesse, who labour to expell the clergy from among them, and starve them when they are with them, who from year's end to year's end seldom see a Church : who live in profess'd adultrys and owne a mumgrill race, the liveing wittnesses of their unnaturall and monstrous lusts, *etc.*, not to mention their dissolute drunken actions. This is not the crime of a few, nor the meanest of their party, nor of the youngest of them ; the slaveish sooty race boasts a succession of Codringtons as well as Griggs and Russells, and others of low degree, and that a sober Mr. Perrie and old Col. Williams, as well as young Mr. Warner, are in the list of their paramours *etc.*, *etc.*, yet these are the men that charge me of a lewd life and conversation. If they produce one instance of lewdness or drunkenness against me, I will plead guilty to the whole charge. This black article has but two depositions, one of which (*No.* 144) is made by Mr. Chester, so eminently and frequently convicted of perjury in everyone of his depositions, *etc.* He is such a wretch it is a misfortune to be on the same island he is : and the obligation I owe his lady who generously informed me of a designe to assassinate me, which was overheard in her owne house, and which I thereby prevented, lay me under an obligation to do more then to wayte on her, to give her my advice, how she might most decently protect herselfe from a husband who had attempted to poyson her and seemed resolved to destroy her, *etc.* There is but one deposition relateing to any other Island, and indeed it is a dismall deposition as it stands unanswered. The first charge of endeavouring to ravish her, the second that for her husband's askeing me why I so used him, I ordered Mr. Helden to put him out of the Custom house, thirdly that by my order Col. Paine, Col. Panton and Judge Peters without hearing him granted a warrant to committ him unless he could give £2000 bayle, whereon he betooke himselfe to the woods, and that when she would have made oath to the Justices, they laughed att her, and sayd she did not cry out loud enough ; fourthly that his great want, joined to the perswasion of those Justices, and the assurance of forgiveness drew him to a submission, and the fifth that the cruell usage made him quitt the Island to seeke a mintainance leaveing her and three children, and that he is since dead, and lastly that one Major Payne told her that Lt. Governour Lambert had a letter from me to desire her not to complaine, and that I would make her any satisfaction. The deposition of Col. Morris fully proves that after she swore she had been tempted by me and asked to be my housekeeper, which she highly resented, by which she must mean my whore or be perjured, she having lived in the same station with Lt. Governor Hamilton, yet this woman went into my chamber without any force, and neither cried out nor looked disordered when she came out. The second and third complaints are as notoriously false, I neither being on the Island or having to do with his being turned out of the Custom house, which the depositions (*Nos.* 181, 186) of Capt. Phipps and Mr. Rawleigh

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says was for bribery and male administrations and by direction from the Commissioner at Nevis. Her malice proceeds from my not granting her husband a letter to the Commissioner to keep him in his place, and that was her business with me when she pretends I dragged her thorough the hall. (2) The second of these Articles is so abominable false they do not pretend to give one instance of it unless they would bring under it the storys of Pelachio and Ann Bryan answer'd in the 10th Article. (3) The third Article is still more infamous in charging me with being concerned in a private trade with France after they have seen a crowd of evidences on oath clear me of it, even of everyone that commanded those Truces. Perhaps they think none but themselves fitt for any employ. And whereas they take a deposition that I sent one Capt. Bermingham, who they by an abstract of the Council Minutes prove I had a very ill opinion of, they vilely leave out how he cleared himself of the scandall, after which I employed him; and its strange that one who the Assembly trusted with a publick sloop in a time of eminent danger, should not be fitt to be trusted with a sloop and three hands to carry prisoners in, and this Gentleman was in better reputation than nine parts in ten of them that have signed this Article, none of whome would use him in this manner, had I not tyed up the hands of any that pretend to have a regard for me from resenting any ill usage, in compliance to the same submission the order of my Lord Sunderland lays me under, and which on their part has by no means been comply'd with, but (t)he highest and bare-faced insults offered by them in the prosecution of the power they claimed from that order. And in defence to the complaint of the Assembly, I have on all occasions encouraged the prosecution of them, but I know no way of punishing any person any further or otherwise than the Law directs, which I having never obstructed or discountenanced, and which they do not pretend to give any proof of, can no way relate to me. And after all having discover'd some people carrying some provisions and other goods there whereon I consulted the Councill and all the Lawyers in order to their prosecution, they agreed that nothing but Naval Stores are prohibited being carried there by Law. Tho' I have always indeavour'd to prevent any sort of trade there, as by the depositions of the Customhouse officers fully appears, and that I have frequently ordered them to search all flags of truce in order thereto, yet the beef which they are accused of, carried at times when it is cheap here and dear there, for which they bring ready money hither, is far from being so pernicious a trade to these Islands as they pretend, and that it is not so to Great Brittain appears that it is so publicly tolerated from Ireland that several large ships a year go directly there. But so little reason have they to complain of me in this head, that I have indeavored all I could to perswade the Gentlemen of the best fashion to go in such sloops for the honour of the Nation, and what care I have taken to preserve the Cartell since the Assembly has raised no tax to pay them or anything else is very eminent to the whole Island, and which is of the highest consequence to

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it. There being nigh 50 privateers in Martinico, and scarce seven belonging to this Government, the French have so great a superiority of prisoners that if they either exchanged man for man or sent them to France, these Islands would neither have any saylors to man their vessells or people to make any tolerable defence should the Island be attacked as every year it is in danger. Nor without it would the Northern vessells bring them any of those commoditys they so absolutely want, the sugar being too bad for their consumption, and the rumm 200 p.c. dearer then at Barbados. But the benefit of the Cartel encourages them against all these disadvantages, if a sailer is taken, he is by it immediately returned and follows his business, while they who trade to the other Governments by lying long in goal, and by being sent at last prisoners to Europe are put quite out of employ and ruined. Another very eminent advantage they have by it is that they gain intelligence of the designs of the French who are allways insulting them without any fear of the French makeing the like advantage, we being too weak to attempt anything against them. And I have therefore allways indeavored to preserve the Island so great a benefit, and to keep a Truce of so great advantage to them, sacred and inviolate. (4) The fourth Article is partly true. I did for some time after I came here hear complaints the Justices of the Peace might have done, hoping to perswade the meaner people rather to agree and make up their disputes than go to Law, of which the story of Wharf and Sulivant is an instance, and alone serves for an Article. The woman that was beat took out an action, and having complained to me, I indeavoured to make it up, and found the fellow and his wife as flippant of their tongues as before of his fingers. I left them then to the Law, and this sawey foul-tongued woman, who lay under the character of being a camp whore, and who might be guessed to be a Billingsgate one, provoked me to tell her she deserved the ducking-stool, which has since made as great a clamour as any action I have been accused of, tho' I neither attempted or ordered it, but she was a house-keeper, tho' a very mean one, and as the person of the meanest freehold is too sacred to be by any means molested on account of any money he owed, so neither must the person of any cottager be punished for any immorality, or be threatened with the stocks or pillory. But as they pretend to have no other proofs for the flagrant acts charged on me in this Article, or that I ever refused any complaints proper for me to hear or determine, or that they had not given me reason enough to meddle with what the Justices of the Peace might determine, I have said enough to this Article. Their last charge is fully answered in my letter to Lord Dartmouth and paper No. 190. In 149 is another instance how the turning of a word alters the sense of anything, and what masters they are in that trade, and which No. 132 fully proves.

What follows is a short answer to the depositions taken by one Drolenveaux in the other Islands, ex parte Mr. Nivine, at the same time keeping me at Antigua attending the depositions they were takeing here. (1) They begin with Mr. Crooke, whose

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long story turnes on his title to the estate of one Kerkhoff, who I shall prove when I come there to be an alien, and therefore on his death it reverts to H.M., who has allways allowed Her Chief Governor all escheats as a perquissitt, and which is the only one belonging to the Governour as Governour, and has not amounted to £800 sterl. since I came to it. Col. Johnson was inform'd of it, but just before my arriveall, by one Cunningham, Crooke's near neighbour, as their deposition mention, by which I knew it, and this very Crook would have given him four times as much for his title, but I came over before the bargain was concluded. If I bid him therefore not speake of it, which I don't remember, it must be that it might not be knowne for what a trifle I compounded my right, and that every one on such account might not expect it, for which he was then very thankfull, and how friendly I acted with him further, apeares that I have neither reciev'd a pound of the sugar, tho' 'tis four years since, nor ever sued him for it. The deposition of Mr. Southsay is as fully answer'd in the Articles as can be till I arrive at St. Kitts, and that of John Guilliard turnes on the time the Act commenced, that took away the Lord High Admirall's tenths, which is my perquissitt as Vice Admirall and has allways been recieved by whoever was so before me, but as he owns I was on board the *Hector*, so I shall prove that the *Hector* sailed with the Fleet June 19th, and that Act was not in force till June 24, and wee then only knew of it by report, for I did not recieve the Act till a long time after; and whereas he seems to insinuate I tooke more then my tenth, I in reallity tooke less, for he ownes there was 32 negroes and that I tooke but 3, and gave him 10 pistoles, because he said they were the three best. The deposition of Hutchinson insinuates that I knew of beef being carryed to Martineque, because the master of a beef vessell told him he was to sell some hundred of barrills to mysef and Col. Panton. This man knew very well that Col. Panton bought but 50 for me, and that they were housed and delivered out to my plantation by Mr. Rawleigh, and serv'd them the whole yeare, which was made apeare by the oaths of Mr. Rawleigh and Col. Panton before the Councill and Assembly of St. Kitts, for upon heareing there was beefe went in that sloop I used my utmost indeavour to find out to whom it belonged in order to punnish them. All the proceedings are in the Minutes of the Councill of St. Kitts. But the interrogatories put by the complainants to Mr. Helden, Hartman and Buryeau cleare me. Mr. Helden's oath suffitiently cleares me also of that part of his affidavitt where he says Mr. Hilden told him a story about a will, and whereas he pretends he was by when I threatn'd how severe I would be to the people of Antigua, I remember no such expression, but 'tis plaine I have not been so, when no one inhabitant of Antigua has paid any fine, or been any otherwise punished since I came to the Government. The next is Elizabeth Boyd's oath she swears at the intercession of Mr. Bermingham, I gave a pardon to one that killed her husband, and that the man I pardon'd went to Guinea in my shipp. I never had to doe but with two that ever went to Guinea, and they were both lost long

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before her husband was killed, and I pardoned the man at the request of the Lt. Governour and severall other Gentlemen, for to my knowledge I never saw him, and I did it to save the charges calling a Sessions would have cost, and 'tis certaine no jury could have brought him in guilty of more then homicide per misadventure, for the poor man shott his friend by the greatest chance in the world, both looking on a gunn that was loaden *etc.*, and he begged both his wife and the Lt. Governour that his friend might not be troubled for his death.

The next is interrogatories to Lt. Governour Lambert about an ingott of gould Mr. Vanbell made me a present of, and they insinuate a long story of a bond and negroes, wch. happned at least 8 yeares before I came to the Government, and 'twas such a piece of injustice the like was never heard off; Mr. Vanbell has a brother that is one of the Burgomasters of Amsterdam; he applyde himselfe to the Duke of Marlborough to write to me to do his brother what service I could, accordingly I did, for I not only perswaded those that were concern'd to deliver him what they had unjustly taken from him, but I also gave him some land, which was of considerable vallue. This man had gratitude enough to write to his brother to goe and thank the Duke for the favours I had done him, and some time after came and made me a present of an ingott of gould. This man is an Agent for the Brandenburghe Company at St. Thomass's, and is very rich, and has since sent me a fine horse. What service I did him was pure favour, he had no cause to be tryed before me, nor did I give him any liberty to do any unlawfull act, but made him a present (of some land in St. Kitts) for which he made me another. And when the complainants went to Mr. Vanbell, to ask him if I did not exact the ingott from him, he told them no, for he made me a present of it, and was sorry it was not of much greater vallue. The next is Edward Guillard's deposition, who tells a long story of my exchangeing a piece of land with him at St. Christophers, and that I gave him 20 pistoles to boot, I shall briefly tell the whole story, and when I can gett to St. Kitts shall take affidavitts to prove what I say.

At my first coming to the Government, I found Nevis and St. Kitts destroyed by the French, and except Col. Lambert's, there was no place I could be at, for all the other houses were burnt; I had an order sent me to live either at Nevis or St. Kitts (and I haveing had the plague at Nevis) I chose to live at St. Kitts, and because I would not trouble Col. Lambert I designed to build a house in the towne of the Old Road, and had finished a handsom out-house, when the hurricane came and blew it downe, and being obliged by the order still to live there, I designed to build another house. Col. Lambert told me he would give me as much land in the towne as would build me a good house. At that time there was hardly any house left standing, and haveing a mind to build on a rising ground, I asked whose land that was, that was in such a place. I was told it was Edward Guilyard's. I asked him to exchange with me; he readilly told me with all his heart; but next time I saw him, which was at Mr. Helden's,

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I asked him againe, he told me then he would sell it me, wee put it to the company to sett a price, and they sett 20 pistoles, which was truly more then it was worth, it not being a quarter of an acre. A bill of sale was made accordingly, and no mention made of any other land, but after this I told him to encourage him to build, that I would give him the proportion Col. Lambert promised me, but he then was not in an humour to build, but some time since he goes to Col. Lambert, and asked him for the land and would have it in such a place Col. Lambert was building on himselfe. When I came to the Generall Assembly that mett there, he came to me before the Councill and demanded the land, I calmly told him I was not oblig'd to give him any further then I told him, after I had bought and paid for his land, he might have the land Col. Lambert promised me. I sent for Col. Lambert, who told me and him before the Councill, the land he promised me he would give him when he pleased, but he could not give him that very spott he was building on himselfe. This did not satisfie him ; he wanted a handle to make a noise with. This was 3 years agoe, and this man never thought of it till last Aprill, when he and Hutchinson who made the first deposition had wronged a man who brought them before me in Chancery, and I decreed they should pay the poor man about £300, upon which this was trump't up, and Hutchinson's hearsays in his affidavitt was thought on. I offered this man if he would pay me for the house I had built on the land as it should be vallued, he should have it, which he refused. I built a very good house, the best there by much, with a designe to live in it, but before it was quite finished, I had another order sent me to live at Antigua, (so hardly was I used) and have lived there ever since, and sold this house for much less then it cost me.

The next is interrogatories put to Thos. Coppinn, about armes and stores he had out of the Fort at St. Kitts ; by this they would insinuate as if I made use of the stores ; there is powder and stores which belong to each Island, which is under the care of a Commissary, who makes up his accounts whenever the Assembly or Councill requires him, and because they will not be at the charge of giving a sallary to one to keep the armes cleane, they lend them out to owners of privateer sloopes, who are oblig'd to returne them in good order, or new in the place of those wanting, and new powder in the room of old, and the Commissary did no more to my privateer then is done to anyone that wants armes and will be at the charge of haveing them cleaned. Those that were lent to Coppin were all returned according to the usuall manner, and the receipt for them taken up from Capt. Burrill, who was the Commissary, and he has since made up his accounts, and had they not been returned, Capt. Burrill must have found others in their place. The next is interrogatories put to Mr. Hilden Stephens and Borieaux about what the Queen sent as Her royal bounty to the inhabitants of Nevis and St. Kitts by Capt. Cammock, by which they indeavour to have it thought, I had converted some part to my owne use ; when Capt. Cammock arrived I was att Antigua. I told him he was to

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deliver what he had to the Lieut. Governours of Nevis and St. Kitts. Accordingly he did, and the Lt. Governour and Council of each Island distributed it as they thought fitt, and 'twas done long before I came to either of those Islands, and I shall prove by the oaths of the Lt. Governours and Council, that I had no part directly nor indirectly, nor did I know what there was, nor to whome distributed, till they themselves gave me the account of the distribution which I sent home. When Capt. Medcalfe came with more beefe *etc.* from the Queen, I did the same, and Capt. Cammock and Capt. Medcalfe, who are in London, can affirme the same on oath. The next is the deposition of Christopher Acres that I took two Indians without paying for them; had this man and the rest sworne the whole truth, I need not to have been at any trouble to have answered. I had 6 Indians of the 14, a woman, 3 litle children and 2 men, and there was the sloop and other goods beside, and according to the apraizment of the whole, my tenths came to what I had within £40, which I paid said Akers; this was at my first comeing, two years before the Act of Parliament took away the tenths. The latter part of his deposition is answered in my answer to Gillyard's deposition *supra*.

The famous Mrs. Bowden is the next deponent. She now swears what before she only put downe in her petition to the Queen, which was determined so much in my favour after a hearing before the Lords. The petition was by the Queen and Council dismissed with an epithite of scandallous and false, and I left to take my remedy at law against her, but because I gave her no trouble for it, she is in hopes now her name and the story may be forgott at home, and her oath may be read with the rest, but I will spend no more time on this scandallous woman, the report of the Lords Committee to her petition being a full answer to this her deposition; only observe yt. so many times she is perjured as there is different paragraphs in her deposition.

Col. Hodges' deposition is, as he has sworne it, a palpable lye, and had I seen this affidavitt before he died, by interrogateing him and confronting him with others that I had said the same thing too, I should have proved it false; this happned at my first comeing, as Sir Michael Cole can make oath, which he may know by the time that the letter was writt to me, to desire me to put Hodges in mind of his rent, and when I can gett to Mountserratt, I shall be able to prove at that time he had not lett the Plantation, which in his affidavitt he says he had done for two years before, so that if I prove him perjured in this, I hope the rest of his depositions may be esteemed no better. The story is this. When I spoke to him to send Sir Michael Cole his rent, he never told me he had rented it to any other, but said Sir Michael need not have been so very sharpe for his rent, for he might thanke him for it, or he had not got that Plantation. I told him if he could tell me how I might gett such another, I would give him more then such a summ, what I meant was, that as this estate of Sir Michael Coles was the estate of one that was on King James' side in Ireland, and so forfeited, I did not know

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but there might be severall other estates in Mountserratt under the same circumstances, and as I thought he had given Sir Michael Cole the information of this, if he would informe me of another, I would rewarde him for it. As to his giving me his pattent, that could do me no service except he could have gott it from the Records also ; for a Pattent both by the Law and my Instructions must pass in Councill with their consent and be so recorded, or else 'tis voide ; but Sir Michael Cole's pattent, as I suppose, is under the Great Seale and is recorded in proper offices at home ; what this man has swore is so ridiculous, none but the arrantest foole could be guilty off. That I threatn'd to turne him out is in part truth, but not the next day for wee were good friends long after this, but it was his tradeing with the French and Dutch, by meanes of Danish passes, in sloopes under the direction of Irish Papists (I once narrowly missed catching 4 or £5000 landed out of a Daneish sloop) and haveing given him repeated orders under my hand not to suffer the Dancish sloopes to come there, was the occation of our difference, and when I found that he suffered them to come, I then told him if he would not obey my orders I would suspend him, and did not doubt but it would be confirmed if I did. This was not till he had made this affidavitt and Nevin had carryed it home, and above a twelve-month after I had given him my first orders about the Daneish sloopes. I also find he brought in one French (an Irish Papist) that was master of one of these sloopes, and lived att St. Thomass's, to make another scandallous affidavitt against me. I don't doubt he might have more of the same country and religion from the same place, to make any affidavitt to gett me removed, that have so industriously prevented their carrying on so profitable a trade.

Then comes one Drolenveaux, the Irish pettyfogger they employed to take these affidavitts ex parte in St. Kitts, Nevis and Mountserratt, and he makes oath that Mr. Rawleigh refused to give him coppys of an injunction granted to one Morriss, and that his brother had writt him not to do it by my order, and that the injunction was alter'd and was generall. All I remember of this and the alteration is they brought me an injunction dated at Antigua, and I being at St. Kitts told the Secretary it must be transcribed and dated at St. Kitts, if the Secretary of Antigua or St. Kitts have not done their duty, how can I helpe it, I never read any, nor do I know the proper forme. Where I finde it attested by the Clerke of the Office, I signe it in course, and the occation of his brother's writeing to him was, I heard he had deliver'd the originall papers out of the Office. I with warmth told his brother here what I had heard, which is what he writt him, as he tells me. And whenever the complainants please, I will give an order under my hand to the Secretary to give them 50 coppies, nor do I believe this story as he relates it, notwithstanding his Irish oath. This Drolenveaux makes another long oath, what he heard one French say. This French is an Irish Papist and an inhabitant of St. Thomass's, and was one of those that used to trade with a Daneish pass till I prevented him, and I should

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not have been surprized if he himselfe had sworne all Drolinveaux says he told him, and much more, tho' every tittle false, but I had a letter from Mr. Dardus at Mountserratt, that was att Antigua when Drolinveaux took this oath, who told French of it, and he denyed he ever told him any such thing, and offer'd to make oath of it; he has framed a fine story of my privateer's going to Curaçoa with sugar, and bringing goods back: the true story is this, and shall be proved since they wou'd insinuate a reflection on me, the sloop tooke a prize loaden with French sugar, it could not be sent home, because of the great duty. The privateer wanting a new suit of sayles and allmost everything, she tooke in the prize sugar and went to Curaçoa and there sold it, and was there fitted, she brought me in debt for the sugar did not sell for as much as her fitting out came too, which I paid the master, she brought no sort of goods that I know off from Curaçoa. I was at St. Kitts when she was comeing in and had then seiz'd a sloop that came from Curaçoa with hollands, *etc.*, that belonged to Mr. Chester, and I bid the waiters go off and see if my sloop had any prohibitted goods in her; they found not any. The story about the £60 and Mr. Blake, you will find in the Minutes of Mountserratt sent to the Lords and very much for my honour. But I shall have it once more proved, and bring it with the rest. To prove every tittle here asserted, as soon as I can go to the other three Islands, I shall take a cloud of evidences. I have already sent severall depositions of people's being offer'd money and threatn'd these are pretty ways of getting affidavitts against a Governour. I have an account of the same practices used at the other Islands, and since Nivine went, a woman told me Chester and Cochran gave her three pistoles to sweare she had heard me say I had layne with the Dutchess, but after she gott the money, she laughed at them. Perrie and Tankerd gave one Kate Sullivan sixteen *etc.*, to swear the same thing, but she haveing alsoe [con]fessed it to Mr. Helden, and he makeing oath of it, they thought fitt not produce her affidavitt. After such villainys, what creditt such people ought to meet with, I leave the world to judge. *Signed*, Daniel Parke. 104 pp. [C.O. 7, 1. No. 19.]

Sept. 10.  
Boston.

**392.** Col. Nicholson and Col. Vetch to Mr. Popple. *Compliments.* We are just going abroad in order to put in execution H.M. commands, and hope by next oppertunity to acquaint their Lordships of our success, we shall not trouble you further, save to pray the favour of a line from you per first, with all the Court news. *Signed*, Francis Nicholson, Sam. Vetch. [C.O. 218, 1. p. 1.]

Sept. 14.  
Barbados.

**393.** Col. Lillington to Lord Dartmouth. *Repeats letter of Sept. 2, and refers to that of Aug. 3.* [Save for the dispute about the Treasurer], the country has not been more quiett or easie for eight years, *etc.* *Signed*, G. Lillington. 2½ pp. [C.O. 23, 48. No. 46.]

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Sept. 16.  
Whitehall.      **394.** Mr. Popple to John Graves. H.M. having directed the Lords Commissioners of Trade to report what may be the best and most effectual means for the speedy settling and securing the Bahama Islands, they desire you will consult such persons as you think best acquainted with the state of the said Islands, and let them have as soon as possible your joynt opinion thereupon, particularly with regard to stores of war, the materials for fortifying of Providence, and the number of soldiers, *etc.* [*C.O.* 5, 1292. *p.* 219.]
- Sept. 16.  
Boston.      **395.** Cols. Nicholson and Vetch to Mr. Popple. We could not leave this place without saluting you by a line as well to acknowledge your many favours as to begg the continuance of the same as an addition to your many former to desire you would please to tender our most dutifull regards to the Rt. Honourable Board: we are just going abroad in order to put in execution H.M. commands, and hope by next oppertunity to acquaint their Lordships of our success, *etc.* *Signed*, Fr. Nicholson, Sam. Vetch. *Endorsed*, Recd. 12th, Read 14th Nov., 1710. 1 *p.* [*C.O.* 5, 865. *No.* 50; and 5, 913. *p.* 258.]
- Sept. 16.  
Boston.      **396.** Same to the [*Lord Dartmouth*] Secretary of State. The oppertunity of this small runner offering, although her arrivall be uncertain, and the account wee can as yet give your Lordship of the affairs of this intended Expedition, but very imperfect, yet we could not but judge it our duty by every opertuneity that offered to give your Lordship a short account of what progress we had made. The men of warr and transports under their convoy arived all safe here upon July 15 in pretty good health, we lost no time in despatching H.M. commands to the severall Governments concerned in the present Expedition, and as soon as the said Governours arived here, and the Councill of Warr appointed by H.M. for concerting the proper orders and quotas to the respective Governments, they returned to put the same in execution, the season haveing been so far advanced and no direCTIONS sent them to prepare for the Fleet's arrivall together with the vast expence and disapointment of last year made it a buiseness of some time to get their troops, transports and provisions ready, the last being very scarce and dear, particularly pork and beef. Wee have been under a necessity by advise of the Councill of warr to put H.M. to some charges here, though wee have been as frugall as possible in all points, and have not charged H.M. with anything save what imediately concerned the troops and saylors under Her imediate pay as the Hospitall ship for the marines, seamen of the men of warr, and company of gunners and mattrosses belonging to the traine, which we was necessitate to hire, man and victuall at H.M. charge, the troops of the country here haveing provided Hospitall ships, surgeons and all other conveyniances for their own troops, the greatest part of the other expence being for provideing great gunns, carrages and other stores of warr not sent over, and are absolutely necessary, the insufficiency and deficiency of severall stores sent over or

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pretended to have been sent over from the Tower hath very much augmented this expence, a particular account of all which together with the surveys upon the same we have transmitted to the Board of Ordnance and my Lord Treasurer, and as your Lordship and the Ministry may be assured that we shall be the best husbands possible we can of the Queen's money, so on the other hand we should be blamed to undertake such an enterprize without the stores judged by the Councill of warr and Engineers to be absolutely necessary for the same, whose advise and opinion we have always taken in everything relating to the service, as your Lordship will see by the Minits of the said Councill of Warr, which shall be transmitted to your Lordship by the first safe opportunity, which we judge will be the Mast Fleet. Your Lordp. will perceive we mention Engineers in the plurall number, Capt. Redknap who resides here is Engineer for the Government having with the Governour's consent offered his service to go as a voluntire. As to the number of the Marines notwithstanding H.M. order was for 500, yet no more then 400 have been sent, and the want of the fifth part of the regular troops upon whom our great dependance must be is a very considerable disadvantage besides that the last years allarm and this years expectation of us at Port Royall hath rendred that place much stronger and harder to be reduced then it would have been last spring, however we doubt not but by God's assistance to give your Lordp. a good account of the same before long. As to the garrissoning of it when reduced, that must be consulted upon the place both with regard to the number and cōrs, but one thing seems to be apparent, that the Governments concerned depend upon H.M. maintaineing and paying the garrison, and as we hope the valueableness of that fort and country will soon appear to H.M. and the Parliament, so we doubt not effectually meas[ures?] will be taken to settle it so well with Brittish subjects when it shall be reduced to H.M. obedience that there may be no danger of looseing a place which by the account of all people who pretend judgment in that affair will be capable of supplying the whole Brittish Navy with Navall Stores of all sorts. *Enclose letter from the Government of Rhode Island. Signed, Fr. Nicholson, Sam. Vetch. 1½ pp. [C.O. 5, 9. Nos. 65; and (duplicate) 113.]*

[Sept. 18.] **397.** Berkeley Seymour to the Council of Trade and Plantations. Prays for a favourable report upon his petition. *v. Aug. 14. Endorsed, Recd. 18th, Read 19th Sept., 1710. 1 p. [C.O. 5, 717. No. 14; and 5, 727. pp. 181, 182.]*

Sept. 19. **398.** Council of Trade and Plantations to Governor Handasyd. Whitehall. *Acknowledge letters of July 9 and 22. As to what you write in relation to the escheat that will fall to H.M. upon the condemnation of Mr. John Sutton; it is proper to move in that matter as it now stands, it being against Law to make any grants of forfeitures before conviction. We are glad to find the good*

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effect of your Proclamation relating to the Pirates at the Sambalas, and we hope that their ill success will prevent others from attempting the like for the future. We are well pleased to perceive that the trade to the Spanish Coast is like to increase, and do heartily concur with your wishes that it may go on successfully. We shall at all times be ready to do you what service lies in our power, but what you write in relation to your self and regiment being a military affair and intirely foreign to the business under our management, you will do well to apply to the proper place. When that shall happen, we will not be unmindfull of what may concern you. H.M. having been pleased to appoint the Lord Archibald Hamilton Governor of Jamaica, his Commission and Instructions are passing with all possible speed, and we believe it may not be long before he be ready to sail from hence. [C.O. 138, 13. pp. 293, 294.]

Sept. 19.  
Whitehall.

**399.** Same to Governor Parke. *Acknowledge* letters of June 8th and 30th. As to the Government of Mountserrat, we are inform'd that it is given to Col. Pearn, who was lately, or still here. But as we have not yet seen him, nor were made privy to the passing of his Commission, we cannot say any further upon that subject. You say that you were surpriz'd that you heard nothing from ye Earl of Sunderland, or from us, of ye Order directing you to come home. As yt. matter was not transacted at our Board, we could not give you any accot. of it; we have only been inform'd that it was a letter from my Lord Sunderland to yourself. As 'tis probable from wt. you write yt. you may be come away before this letter will arrive, we will only wish you a good voyage, etc. [C.O. 153, 11. p. 66.]

Sept. 22.

**400.** John Graves and others to the Council of Trade and Plantations. A scheme of what would be necessary for the fortifying and securing the Bahama Islands. A regiment, 30 or 40 grate guns, tools, masons, etc., a sloop, transports and 3 small men of warr, etc. "The reason wee propos a Rigement is our having advise that the enemy are sett down at Providence and on Exuma." *Signed*, John James, George Ball, Patrick Davidson, Jno. Graves. *Endorsed*, Recd. Read Sept. 22, 1710. 1½ pp. [C.O. 5, 1264. No. 100.]

Sept. 22.  
Whitehall.

**401.** Council of Trade and Plantations to Lord Dartmouth. H.M. having been pleased by her Order in Council, Aug. 18, 1708, to appoint Wm. Bird Esq. a Member of the Council in Virginia, and his name having by omission of ye transcriber been left out in the Instructions to the Earl of Orkney, we pray your Lordship will move H.M. that Col. Spotswood may admit him into ye same precedencey he formerly enjoyed in the said Council (cf. Aug. 18). 1 p. [C.O. 5, 1341. No. 11; and 5, 1363. p. 217; and 5, 1335. p. 58.]

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Sept. 25.  
Whitchall.

**402.** Lord Dartmouth to the Council of Trade and Plantations. *Encloses following*, "that you may consider of the contents of it, and come the better prepared to answer any question at the General Council which is to meet at Kensington at 11 o'clock to-morrow morning," etc. *Signed*, Dartmouth. *Endorsed*, Reed. 25th. Read 26th Sept., 1710. 1 p. *Enclosed*,

402. i. Attorney and Solicitor General to Lord Dartmouth, Sept. 8, 1710. Wee have perused the Representation made by the Council of Trade (v. Aug. 30), and wee look'd into severall Commissions granted by King Charles II upon his resuming the Government of Barbadoes and later commissions, but cannot find any mention made of appointing the Treasurer of the dutys granted by the Generall Assembly. Indeed the Earl of Carlisle's Commission, which was granted to Francis Lord Willoughby of Parham in 1646 gives him power by himself or such person as he shall employ to collect and receive all rents, customs and duties payable to the said Earl of Carlile; but since the Crown of England hath appointed Governors and Commanders in Chief of the Caribbee Islands, wee do not find any particular appointment of the Treasurer for the duties granted by the Assembly in Barbadoes, by the Governor or Councill; but by the Act of Generall Assembly, 1670, wee find William Bate was appointed Treasurer in the Act of Assembly in like manner as Coll. Down's and Mr. Ball have lately been appointed; which observations induce us to be of opinion, that since there hath been nothing in the Instructions hitherto given to Governors as we can find, and since the Generall Assembly have been so long in possession of this practice of nominating and appointing the Treasurer for the dutys they give, and since the Governor and Councill have all along consented to such nominations and appointments in the said Acts, and the Crown of England hath seemingly allowed thereof by ratifying the severall Acts of Assembly, where such nominations and appointments have been incerted, it may not be adviseable for the Government in Barbadoes to dispute this appointment of the said Treasurer with the Generall Assembly, but do conceive it will be best to putt an end to this dispute by H.M. sending instructions to the Governor and Councill in Barbadoes to allow of such appointments by the Generall Assembly. *Signed*, Ja. Mountague, Ro. Raymond. 2 pp. [*C.O.* 28, 13. *Nos.* 42, 42 i.; and 29, 12. pp. 300-303.]

Sept. 26.  
Kensington.

**403.** Order of Queen in Council. Directions are to be sent to the Governor and Council of Barbados to allow of appointment of Treasurer by the Genl. Assembly, etc. (v. Aug. 30, and preceding). *Signed*, John Povey. *Endorsed*, Reed. 23rd, Read 26th

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Oct., 1710. 1 p. [*C.O.* 28, 13. *No.* 44 ; and 29, 12. pp. 305, 306 ; and 5, 11. *No.* 56.]

Sept. 26.  
Whitehall  
Privy Garden.

**404.** Gregory King to Mr. Popple. The Comptrollers of the Accounts of the Army having recd. from the Lord Dartmouth a report made by Mr. Walpole Secry. at Warr upon the petition of Col. Jones Regiment in the Leeward Islands with a signification of H.M. approving the method proposed in it in order to the full examination of the abuses complain'd of, *etc.*, they desire extracts out of the accounts and proceedings of your Honble. Board relating thereto, or to any complaints of the Governor or Council or of the soldiers or inhabitants with respect to the Governor or Col. of the Regiment there, or to the strength of the said Regiment, which Governor Parke complains is not above half a Regt., or about 260 men, when the muster-rolls seem to make it 600 strong, *etc.* Signed, Grery. King (Secretary to the Comptrollers of the Army). Endorsed, Recd. Read. Sept. 27, 1710. 2 pp. [*C.O.* 152, 9. *No.* 31 ; and 153, 11. pp. 67, 68.]

Sept. 26.  
Whitehall.

**405.** Council of Trade and Plantations to the Queen. *Report upon the Bahamas.* cf. Aug. 28. We have again consulted with Mr. Graves, late Collector of your Majesty's Customs there, and with other persons late inhabitants in, or traders to the said Islands, who have delivered to us a scheme of what they thought necessary for the fortifying and securing the Island of Providence, but as the demands by them made seem to us too high, we have reduced the same, and shall only lay before your Majesty what we think of absolute necessity for the aforesaid service. In June 1706 we represented that if 100 soldiers with officers and stores of war were sent thither, and the remaining inhabitants summoned from the other Islands to that of Providence they might joynly be able to defend themselves agt. the attempts of the enemy. But as we have been informed that of 150 families formerly on the Island of Providence, there are not now above 12 remaining, those too dispersed in the other Islands ; and that the enemy are set down upon the Island of Providence and Exuma, we humbly submit it to your Majesty whether it may not be necessary to send thither a greater force with stores *etc.* according to the annex'd proportion. The side of the Fort next the sea having been demolished by the French and Spaniards, it will want reparation ; but till it has been survey'd, we cannot judge what repairs may be wanting. Till the Fort be repaired and barracks built, hutts may be raised in some few days, sufficient to lodge the soldiers and inhabitants, and to secure them from the weather ; for the doing of which, as also for the repairing the Fort, there will require several workmen, with their proper tools, to be sent from hence, according to the annex'd proportion. And whereas there were formerly in the Fort and other parts of Island of Providence 40 guns mounted, most of which have been carry'd away by the Spaniards, we humbly offer that 30 or 40 great guns,

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with carriages and other necessaries, be sent thither. As the soldiers and inhabitants will want a subsistence, till a compleat settlement can be made, we further humbly propose that provisions be sent for them for one year. And for the better administration of the civil and military Government there, that your Majesty be pleased to send over with your Royal Commission a Governor well experienced in military affairs, and fitly qualify'd for such an employment as was done in some other Proprietary Governments during the late war. *Annexed*,

405. i. A proportion of what is necessary for the fortifying and securing the Bahama Islands. [*C.O.* 5, 1292. *pp.* 220–223.]

Sept. 27. **406.** H.M. Warrant to the President and Council of Barbados, Kensington. for passing an Excise Bill with a Treasurer appointed by the Assembly, *etc. as No.* 403. *Duplicate of Order in Council Sept. 26 annexed. Countersigned*, Dartmouth. [*C.O.* 324, 32. *pp.* 22, 23; and 34, 35.]

Sept. 28. **407.** Lord Dartmouth to the President of Barbados. *Encloses preceding.* Whitehall. H.M. look't upon this of so great importance, that before she came to a resolution in it, she had the advice of the Council of Trade upon it, and the opinion of her Attorney and Solicitor Generall, after which H.M. thought fitt in Council to give the directions *preceding*. I give you this account that the Council may the more readily pay obedience to H.M. pleasure therein. *Signed*, Dartmouth. [*C.O.* 324, 32. *p.* 23.]

Sept. 28. **408.** Lord Dartmouth to Governor Parke. *Acknowledges* Whitehall. letters of Nov. 25, March 29, May 11 and June 30, *etc.* *Signed*, Dartmouth. [*C.O.* 324, 32. *p.* 24.]

Sept. 28. **409.** *Same* to Governor Handasyd. *Acknowledges* Whitehall. letters of April 29, June 4 and July 22, upon which I have nothing in command to tell you, but that you having desired to return home, H.M. has appointed my Lord Archibald Hamilton to be Governor of Jamaica in your place. *Signed*, Dartmouth. [*C.O.* 324, 32. *pp.* 23, 24.]

Sept. 29. **410.** Mr. Popple to Gregory King. Reply to Sept. 26. Whitehall. Encloses papers desired (*v.* Nov. 12, 1708, April 24, 1710). [*C.O.* 153, 11. *pp.* 69, 70].

Oct. 1. **411.** General Nicholson to M. Subercase. You are hereby required and comanded to deliver up to me for the Queen of Great Brittain the Fortt now in your possession as what of right belongs to Her said Majesty, together with all the territorys under your command, by vertue of an undoubted right of Her Royall Predecessors; and together with all cannon, mortars, magazines of warr, and troops under your command, otherways I shall endeavour forthwith to reduce the same by force of H.M. armes. *Signed*, Fr. Nicholson.  $\frac{1}{2}$  *p.* [*C.O.* 5, 9. *No.* 67.]

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Oct. 2.

**412.** Articles of Capitulation agreed upon for the Surrender of the Fort of Port Royall *etc.* betwixt Francis Nicholson Esq. General and Commander in Cheif of all the forces of her sacred Majesty Ann by the grace of God of Great Brittain France and Ireland Queen, Defender of ye Faith *etc.* and Mr. de Subercase Knight of the Military Order of St. Lewis, and Governour and Commander in Cheife of the Fort of Port Royall, Province of La Acadée, and the Territorys thereunto belonging for his most sacred Christian Majesty. (1) That the Garrison shall march out with their arms and baggage, drumms beating and colours flying. (2) That their shall be a sufficient number of shippes and provision to transport the said Garrison to Rochell or Rochford, by the shortest passage, where they shall be furnish'd with passports for their return. (3) That I may take out six gunns and two mortars, such as I shall think fitt. (4) That the officers shall carry out all their effects, of what sort soever, except they do agree to the selling of them, the payment of which to be upon good faith. (5) That the inhabitants within cannon shot of the Fort of Port Royall, shall remain upon their estates, with their corn, cattle, and furneture, during two years, in case they are not desirous to go before, the taking the oaths of allegiance and fidelity to her sacred Majesty of Great Brittain. (6) That a vessil be provided for the privateers belonging to the Islands in America, for their transportation hither. (7) That those that are desirous to go for Placentia in Newfoundland, shall have leave by the nearest passage. (8) That the Cannadians, or those that are desirous to go their may, during the space of one year. (9) That effects, ornaments, utensills of the chappell and Hospital shall be deliver'd to the Almoner. (10) I promise to deliver the Fort of Port Royall into the hands of Francis Nicholson Esq. for the Queen of Great Brittain *etc.* within three days after the ratification of this present Treaty with all the effects belonging to the King as gunns, morters, bombs, ball, powder, and all other small arms. (11) I will discover upon my faith all the mines, fugasses, and cassmats. (12) All the Articles of this present Treaty shall be executed upon good faith without diffeculty, and signed by each other. At her Majesty of Great Brittain's camp before Port Royall Fort this second day of October in the ninth year of her Majesty's reigne annoque Domini 1710. *Signed*, Fr. Nicholson. Subercase. *Seals. Parchment.* 1 p. [C.O. 5, 9. No. 66.]

Oct. 3.  
New York.

**413.** Governor Hunter to Mr. Popple. I pray the favour of you to deliver the inclosed letter and draught of land to the Lords of Trade, and the other letters as directed, *etc.* *Signed*, Ro. Hunter. *Endorsed*, Recd. Dec. 25, 1710. 1 p. [C.O. 5, 1050. No. 5; and 5, 1122. p. 204.]

[?Oct. 3].  
(without date,  
but v.  
preceding).

**414.** Same to the Council of Trade and Plantations. I am just return'd from settling the Palatines on Hudson's river and the Deptford man of warr under sail, so that I have not time to send your Lordships so full an account of affairs here as I could wish, and as I shall do by the mast fleet. The Assembly here

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mett on the first of the last moneth and adjourn'd dureing my absence, at their opening I recommended to them the settling of a Revenue, the defence of the frontiers, the Militia Act, restoring the publick credit, ane Act for returning sufficient jurors, ane Act to prevent the burning of woods, an Act for the reliefe of the creditors of bankrupts in England out of their estates in this Province. They mett in very indifferent humour, but I hope they are now in a better disposition. They sent for an estimate of the yearly expenss of the Govert., which was laid before them. The first Act they past was ane Act for reviving and continuing the Militia Act to Nov. 1st 1711. The next was ane Act for the better settlement and assurance of lands, both which have past the Councill with some amendment. The Assembly has likewise past an Act for laying an Excise on all strong liquors retailed to be continued to Nov. 1st, 1711, and the money ariseing from thence to be paid to the Treasurer of the Colony for the time, and to be by him payd and apply'd to such uses as by ane Act of Genll. Assembly hereafter to be made for that purpose shall be limited and express'd. They are so fond of their own Treasurer, which H.M. has been pleas'd to allow them in some cases, that no arguments hitherto used can prevail with them to direct the money which is to goe for the suport of Government to be paid to the Queen's Receiver here, against whom they have conceiv'd some prejudice. They have also past ane Act for the more ease of Trade, and ane Act for reviving ane Act for returning sufficient jurors in tryals at Law. These three last have not as yet past the Councill, nor are the two first yet assented to. I shall send them all by the Mast Fleet from Boston with particular remarks. They have now under their consideration the scheme of the ordinary expenss of the Government. It is said they wholly dissapprove of some expenss and of others in part, and from thence are making a scheme of their own, by which they must intend either to ascertain the summ they will give for the yearly support of the Government, and leave it as usual to be apply'd by warrant in Councill, or else to appropriate the money they give as they did when Col. Ingoldsby had the administration. A few days will clear that matter. A table of fees has been prepared in Councill, and ane ordinance ordered to be drawn for establishing it. The Assembly were going to prepare a bill for that purpose, but this has putt a stop to it at present, but they seem very intent to have their concurrence in it and passe it into a law. I shall be very careful of observing H.M. Instructions in assenting to such laws as they have or shall prepare. The Assembly in the Jerseys is to meet at Burlington Nov. 14th, where I foresee more difficultyes if possible then I have mett with here. The Councill were divided about the place of meeting, one party insisting upon the Act past last Assembly (which is not as yet return'd with H.M. approbation or dissent) for their meeting for the future at Burlington. The other on the Instruction for their meeting alternatly at Burlington and Amboy. I propos'd that in regard to the season, there being hardly any house at the place call'd Amboy, they should meet pro hac vice at Burlington, and in case

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H.M. should think fitt to disapprove of that Act, that Sessions to be made good to Amboy by the two next insuing, which was accordingly agreed to. By the Mast Fleet your Lordps. shall have also a copy of my transactions with the Five Indian Nations. They have given assurances of their fidelity, and resolution to keep the Covenant Chain bright (as they phrase it), and have desir'd to have Missionary's and Garrisons in their Castles: they have promis'd to receive no French Priests or emissaries, and to acquaint me with whatsoever the French propose to them. They insisted upon their right to the lands of Scohery near the Mohaks Countrey, and refer'd me to Records. I found at Albany Instructions to the Commissioners there to restore them to their right and title to these lands. I own'd their title, and they had a new consultation where they resolv'd to make a present of these lands to H.M., which I accepted with thanks in Her name and ordered them a suitable present, which they have not as yet call'd for, and indeed this is the only land almost within this Province left to H.M. to grant, tho' the whole be neither peopled nor cleared. I have been obliged to purchase a tract of land on Hudson's River from Mr. Liviston consisting of 6000 acres, as your Lorps. will observe from this imperfect draught of it, for £400 of this countrey money, that is £266 English, for the planting of the greatest division of the Palatines. It has these advantages, besides the goodness of the soil, that it is adjacent to the pine which by the conveyance we are intitled to, and a place where ships of 15ft. water may go without difficulty. Over against it, but a litle lower, I have found a small tract of about a mile in length along the River, which has by some chance not been granted, tho' pretended to have been purehas'd of the Indians by some, where I have planted the remainder, they are not all as yet transported but I am makeing all possible dispatch that I may prevent the winter; this tract also lyes near to the pine. Mr. Bridger who attends that work and is on the spott, chose the first and approv'd of the last place. This great and usefull design of provideing England for ever hereafter with Naval Stores cannot fail other ways then by being let fall at home, for if tarr be made of pitch-pine, and a number of hands can manufacture it, here is enough for all Engld. for ever, as I suppose Mr. Bridger has inform'd your Lorps. more fully. I was much alarm'd by a letter from Mr. Perry, wherein he tells me that he not only could not gett the money advanc'd by him of the Treasury, but was told by the officers there that he must expect it out of the £10,000 given by the Parliat. for that purpose. I know not what the Parliament has given, but I know that by H.M. Instructions founded upon your Lorps.' Report, which was revis'd and approv'd by my Lord Treasurer, I am ord'ed to putt in execution that scheme which directs that they should be subsisted at the rate of 6d. and 4d. per diem full grown and children, which by their contract they are to repay out of their labour when they are able to subsist themselves, and for that purpose had bills of £8000 given me which will soon be expended, and then I must see that poor people starve, or subsist them upon

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what credit I can make here, which if not supported at home I am undone, which is the least of the evil consequences which must attend the letting that project drop in that manner. I flatter myself that what Mr. Perry has heard from the officers of the 'Treasury was the effect of some mistake in them, or some difficultys in the Treasury at that time. I beg your Lordps.' assistance in setting that matter upon a right foot that I may go cheerfully on with this great, this extensively beneficial work of your Lordps.' projection, which now can meet with no rubb that it is possible to foresee but that of want of support from home. I have sent a scheme of their past and future expenss to my Lord Treasurer, and shall soon be oblidg'd to draw bills upon his Lorp. for their current subsistance. The great expenss of the work I shall deferr untill I hear further or find credit for what is absolutely and immediatly necessary. I humbly beg pardon for my long confused letter, but the ships being under saile I hope will in a great measure plead my excuse. *Signed, Ro. Hunter. Endorsed, Reed. Dec. 25, Read Jan. 10, 17<sup>10</sup><sub>11</sub>. Holograph. 6½ pp. [C.O. 5, 1050. No. 6; and 5, 1122. pp. 205-213.]*

Oct. 3.  
Jamaica.

**415.** Governor Handasyd to the Council of Trade and Plantations. *Acknowledges* letters etc. of April 4, June 27. As to the French Flag of Truce, I have never admitted one here, since I have been concern'd in this Government, excepting one about 5 years agoe, which I would not suffer to come within two miles of the shore, nor suffer him to send any letters, papers or any other thing on shore, as I gave your Lordships an account at that time. I send you here enclosed some papers that has been taken in a French privateer, in relation to flower that must have come from some of our English Colonys. As to newes here, there is very little excepting two French privateers that has been taken by our privateers. There is at Carthagena 15 sayle of French and Spanish ships, one of which is the Vice-Admiral of the galloons that escaped last year. There is one French man of war of 50 gunns, and 3 merchant-men which is beleived to be very rich. It's supposed the French shippes will sayle very soon. Our men of war and privateers is taking all the care they can to meat with them; if they sayle either to the windward or leward: they are in hopes to come up with some of them. The Spaniards expects four men of war to convoy them home, vizt. two Spanish, and two Genucas but as to the truth thereof, wee cannot learn. H.M. shippes to the number of three are gon and going in quest of these French shippes: I have ordered on board 125 soldiers and officers proportionable to help to man 'em. I am of opinion that if it please God they meat with them, they will dust their dubletts. H.M.S. the *Crown* will sayle for Great Brittain with 10 or 12 merchantmen under her convoy, the 8 or 10th of this month. I heartly wish them a prosperous voyage. I am of opinion the *Crown* will have 70 or £80,000 on board her. Our traders are returned from the Spanish cost, but have not had the best trade, notwithstanding I beleive

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they have taken about £80,000. They were disturbed and engaged for three days together by some French privateers who came from Martenego with a resolution to take them. In which engagement one of the greatest traders here known by the name of Capt. Charles Gandey, who was unfortunately kill'd by one of his owne granades bursting in his hands, as he was going to throw it into the enemy's shipp; I am affraid this Island will suffer a great loss by his death, since the Spaniards had an entire friendship for him, and he esteem'd amongst them a fair Trader. As to the power Sergeant's pardon, I have heard nothing of it. The Island is at present very healthy; by the last advices from great Brittain gives me hopes that I shall soon be releived with my Regt., or at least the Core thereof; and when it pleases God I arrive in England, I shall not be wanting to pay my duty to your Lordships, to thank you for all the Favours you have done me, *etc.* *Signed*, Tho. Handasyd. *Endorsed*, Recd. Nov. 27, Read Dec. 1, 1710. 2 pp. *Enclosed*,

415. i.-iii. Correspondence of M. Bernier, Captain of the privateer *La Tempeste*, concerning a Danish ship taken by him at Jacquemelle and released as having on board only flour and provisions. Aug. 1710. *Same endorsement.* French. 4 pp. [*C.O.* 137, 9. *Nos.* 22, 22 i.-iii.; and (*without enclosures*) 138, 13. pp. 299-303.]

Oct. 3.  
Jamacia.  
(*sic.*)

416. Governor Handasyd to Lord Dartmouth. *Acknowledges* letter of July 20. I beg leave heartily to congratulat your Lordship, *etc.* *Repeats* No. 415. *Signed*, Tho. Handasyd. *Sealed. Addressed.* "On her Majesty's Service," *etc.* 2 pp. [*C.O.* 137, 51. No. 28.]

Oct. 4.  
New York.

417. James Du Pré to James Vernon. *Corroborates* accounts by Governor Hunter and Mr. Bridger as to the settlement of the Palatins. *Prays* for repayment of his expenses. H.E. hath honoured me with the post of Commissary of the Stores with an allowance of £250 yearly, which obliges me to great expence, and necessaries for life are as dear here as at London and cloathing twice the price, *etc.* *Signed*, Jas. du Pré. *Endorsed*, Recd. Read Dec. 29, 1710. 4 pp. [*C.O.* 5, 1050. No. 3.]

Oct. 11.

418. Minute of Council of war at Annapolis Royal. John Harrison was appointed Chaplain in Annapolis Royal.  $\frac{1}{2}$  p. [*C.O.* 5, 9. No. 69.]

Oct. 12.  
Annapolis  
Royall.

419. Proclamation by General Nicholson and the rest of the Council of War. To all the inhabitants of L'Accadie and Nova Scotia, or others whatsoever French or Indians that anyways formerly depended upon or were under the jurisdiction of the French King's Governour att Port Royall, these are to notify and make known that whereas it hath pleased Almighty God to bless with the desired success the arms of her Brittanick Majesty by reducing to her royall obedience the fort formerly Port

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Royall now Annapolis Royall with the circumjacent teritorys to which H.M. hath an undoubted right of inheritance as well as conquest, that we command forbid and discharge any of the inhabitants of the abovesaid teritorys wheather they be French or Indians to disturb seise or molest any of the subjects of H.M. of Great Brittan who may either be conversant among them upon the land or passing along the coast upon their lawfull occasions by sea : as they will answer the same under the pain of military execution ; we likeways hereby discharge all the said inhabitants under pain of the abovesaid penalty to traffick or hold correspondence in any manner of way with the French or their Indians either from Canada or any other part of the French dominions whatsoever : And lastly because we judged for the good of H.M. service, and the establishment of the country that untill H.M. further pleasure be known therein that Annapolis Royall be the only port and place of commerce in the abovesaid dominions of L'Accadie and Nova Scotia, we do hereby discharge prohibit and forbid any of the inhabitants whither the(y) be French or Indians to trade traffick or make any merchandise whatsoever whither amongst themselves or with any of the subjects of H.M. of Great Brittain in any other place harbour creek or town save in this of Annapolis Royall, as they will answer the contrary att their highest perrill promising withall to the said inhabitants that while they behave themselves civilly and peaceably they shall meet with all the good treatment imaginable untill H.M. royall pleasure shall be more particularly notified with regard to them and their country. *Signed*, Fr. Nicholson, Sam. Vetch, Charles Hobby, Robt. Reading ; G. Martin, Thos. Mathews, Walt. Riddell, Geo. Gordon. 1½ pp. [C.O. 5, 9. No. 73.]

Oct. 12.  
Annapolis  
Royall.

**420.** Proclamation by General Nicholson and the rest of the Council of War. Whereas it hath pleased Almighty God to bless with the desired success H.M. most just and royall arms more immediately under our direction, so as to reduce to her royall obedience the Fort of Port Royall, with the circumjacent teritorys in the terms contained in the capitulation hereto annexed ; and whereas the season of the year will not allow the totall reduction of this large country of Nova Scotia, nor the disposall of the inhabitants therein untill H.M. royall pleasure therein be more particularly notified, Wee have thought fitt to publish and make known to all H.M. good subjects upon this Continent of America, or others her subjects whatsoever that may come to trafficke in those parts, that they do not repair to trade or infest any parts of the dominions of Nova Scotia, they being now under the protection of H.M. Governour and Garrison of Annapolis Royall ; and as wee judge it for the honour of H.M., the intrest and encouragement of the settleing the said country, that the said Annapolis Royall be the sole part (*sic*) and place of trade in the said dominions of L'Accadia and Nova Scotia ; so wee thought fitt to notifie to all H.M. subjects as abovesaid, that as they shall receive all manner of encouragement in coming to traffike, make fish, or any sort of commerce or manufactory

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that this country is capeable of, as Navall Stores, or building of vessells within the bason or harbour of Annopolis Royall, so wee think fitt to notifie to all H.M. subjects, that as no other place is allowed to be a part of commerce, save that of Annopolis Royall, so should any contrary to this order, and notification presume to make any depredation, or traffike in any part of the sd. teritorys of Nova Scotia, excepting the abovesaid port of Annopolis, they must expect to be treated as illegall traders, and their vessills and effects made prize off for H.M. use, etc. *Signed as preceding.* 1 p. [C.O. 5, 9. No. 74.]

Oct. 12.  
Admiralty  
Office

**421.** Mr. Burchett to Mr. Popple. Encloses following to be laid before the Council of Trade and Plantations. *Signed, J. Burchett. Endorsed, Reed. 14th, Read 24th Oct., 1710.* 1 p. *Enclosed.*

421. i. Copy of a letter from Capt. Smith. H.M.S. *Enterprize*, Kiquotan, Virginia, Aug. 12, 1710. I sail'd from New York July 5th, intending to call at Virginia, but the wind continuing to hang in the S.W. made sail for the Bahamas, where I arrived the 30th, falling in with the eastermost part of the Isle of Pluthera. I there sent my boat ashore, and gott off some of the inhabitants, from whom had the following relation: that there has not been, nor was not now any settlements of the French upon any of the Bahama Islands, they being in the entire possession of the English, but were frequently visited by the enemy, who came over in open shallops and perryaugers, and very often landed, particularly on this part of the Island, from whence they have sometimes taken whole familys, using them with the utmost rigour and severity to make them confess what money they had, and how dispos'd on. This oblig'd them the inhabitants, who were about 32 familys, to abandon their houses and retire to the woods for shelter, where they lay every night, to prevent their being surprized by them, having not arms sufficient for their defence, which were they provided with, they might be able to preserve themselves and their effects from falling into their hands. From hence (after six hours stay) I proceeded for Harbour Island, to gett informed of the condition of that place, upon my arrival one Capt. Thomas Walker came aboard and acquainted me that he, whom the people had chose to be Commander in Cheif for the time being, having about 12 familys with him, was in possession there in behalf of H.M. and the Lords Proprietors, and did not doubt but he should be able to maintain the same, till better provision should be made; in order to it had rais'd a small battery, where he had mounted four guns and some pattereroes, and being pretty well provided with powder, shott and small arms, was under no manner of apprehension of the enemy's

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giving him the disturbance as formerly. From this place would have gone for Providence, could I have been secure in a pilott, but mine was not sufficiently acquainted to take charge of the ship that way, and the Bahamians all of them refus'd it, knowing it to be very hazardous and dangerous, by reason of the hurricanes, which was every day expected, there being likewise no drift for her at such a time, nor harbour to shelter her in, therefore they beleiv'd it advisable for me not to proceed thither, *etc.* They told me that Providence was in little better circumstance then that of Huthera, the inhabitants there, which are about 30 families, having been very often plundered, as they lye altogather as much exposed for want of arms, so were allso obliged to have recourse to the Pashes upon the approach of the enemy for their security, they have nine great guns there, which did belong to the Fort, when taken and demolish'd, but wanting ammunition are of no use to them. The rest of the Islands they say are wholly and intirely abandon'd, the people which were on them not being able to live free from insults, was forc'd to quitt them. Having gain'd this account, left the Bahamas the 31st, *etc.* 2½ pp. [C.O. 5, 1264. Nos. 101, 101 i.]

Oct. 13.  
Treasury  
Chambers.

**422.** Mr. Lowndes to Mr. Popple. The Lords Commissioners of the Treasury refer following to the Council of Trade and Plantations for their opinion. *Signed*, Wm. Lowndes. *Endorsed*. Recd. 14th, Read 24th Oct., 1710. *Addressed*. ¾ p. *Enclosed*.

422. i. Petition of Thomas Day, son of Sir Thomas Day, deed., to the Lord High Treasurer. Prays for the grant of a peice of waste ground in Bermuda upon which Samuel Day built a house, *etc.* 1 p.

422. ii.-iv. Copies of reports to the Lord High Treasurer by William Blathwayt, March 25, 1707, and July 15, 1710, and Lt. Governor Bennett, June 20, 1708, in favour of preceding petition. 3 pp. [C.O. 37, 9. Nos. 7, 7 i.-iv. ; and (covering letter and enclosure i. only) 38, 6. pp. 489-491.]

Oct. 13.  
New York.

**423.** Governor Hunter to [?Lord Dartmouth]. I humbly beg leave to congratulate your Lordp. upon this new and distinguishing mark of H.M. favour, and to implore your patronage in the carying on of that usefull project of Naval Stores in the framing of which your Lordp. had a chiefe hand. *Refers to the settlement of the Palatins. v. Oct. 3 and Nov. 14.* The Assembly here has sat since Sept. 1st, but have not as yet done anything for the support of the Govt., but I believe they will now proceed to it, being in better temper then I found them. I shall transmitt an account of all transactions here by ye mast fleet from Boston. The Indian Nations have given assurance of their fidelity to H.M., and have desir'd English Missionarys and garrisons, which I believe may deserve your Lordp's. consideration. If our force

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here were augmented by two more Independent Companys, we might spare them detachts. for some of their Castles, which would keep them in their duty, and draw back those who have gone over to the French, and keep our frontiers free from alarums. I shall write more fully by ye Mast Fleet, this man of war (ye *Deptford*) being under sail, *etc.* *Signed*, Ro. Hunter. *Endorsed*, Recd. from Mr. James Dupré, Jan. 2, 1711. Sent an extract to ye Treasury, Jan. 5, 1711. Writ to ye Councill of Trade Jan. 5, (*q.v.*). 2 pp. [*C.O.* 5, 1091. No. 24.]

Oct. 14. **424.** Invoice of goods shipped on the *Pemberton* galley for Stockport. Jamaica. *Signed*, John Hall. 2 pp. [*C.O.* 137, 45. No. 96.]

[? Oct. 14.] **425.** Address of General Nicholson and the Council of War for carrying on the Expedition against Port Royal to the Queen. We have concluded all the said Expedition against Port Royall Fort and brought it under your Majesty's obedience: and have declared all to be done which the season of the year cann allow, and left it in the possession of Col. Samuel Vetch by the name of Annapolis Royall. As your Majesty has been pleased to give your Royall promise that the country with the severall species of plunder shall be divided and distributed as by your Majesty's pleasure is mentioned in the Instructions: we most humbly submitt to be determined by your Majesty's goodness therein, humbly praying we may have the preference of the first settlements and allow'd an equall share in the soile, trade, fishery *etc.*, according to our severall ranks, and number of people under our command in conjunction wthall the severall Governmts. who together with us were concerned in the reduction of Port Royall. *Congratulate H.M. etc.* *Signed*, Fr. Nicholson, Sam. Vetch, Charles Hobby, Robt. Reading, G. Martin, Tho. Mathews, Walt. Riddell, Robt. Paston, Geo. Gordon. 1 p. [*C.O.* 5, 9. No. 71.]

Oct. 14. **426.** Same to Same. It having pleased Almighty God to Annapolis Royall. bless with success your most just and royall arms in reducing to your obedience the Fort of Port Royall by which in a great measure the large country of Nova Scotia is again reduced to your large Empyre in America, to which your Majesty hath an undoubted right of inheritance, derived from your royall predecessors, who to encourage the settlement of the said country instituted the Honourable Order of Barronetts of Nova Scotia, the reviving of which order as it would tend to the resettling of the country, so your Memoriallists haveing had the honour to be principall instruments in the reduction of the said place: most humbly pray that if your Majesty shall be graceiously pleased to revive the said order, such of us as your Majesty shall think fitt in your royall wisdom may be honoured wth. the same, *etc.* *Signed as preceding.* 1 p. [*C.O.* 5, 9. No. 72.]

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Annapolis  
Royall.

**427.** General Nicholson to Philippe de Rigueau, Marquis de Vaudreuil, Governor of North France (Canada.) This comes by Major John Livingston whome myselfe and H.M. Councill of Warr send with relation to the inclosed Instrument, which I hope you will punctually comply withall to prevent the effusion of innocent blood on both sides, and as I have the honour to command in chiefe H.M. forces in these parts, so I do assure you that it shall be your fault if anything contrary to a honourable warr be practised upon Her Brittanick Majesty's part. M. Subercass sends along with the bearer the Barron St. Castien upon his part to whome we reffer you both for the account of the surrender of this place and the treatment we have given them with relation to their return to France. If the Major Livingston wants money lett him have whatsoever he shall want and take his bills for the same upon Col. Samll. Vetch, H.M. Governor of Annapolis Royall, or Mr. John Borland, mercht. in Boston, H.M. Agent there, which will be punctually honoured, which is all from, Sr., Your most humble servant, *Signed*, Fr. Nicholson.  
*Addressed. 1 p. Enclosed.*

427. i. The Council of War at Annapolis Royal to M. de Vaudreuil. Oct. 11, 1710. It haveing pleased Almighty God to bless with success H.M. Ann by the grace of God of Great Brittain, France, and Ireland, Defender of the faith, *etc.*, her royall and just arms with the desired success in reducing to her obedience the Fort of Port Royall and circumjacent country as the Articles of Capitulation transmittted you by Mr. Subercass (Oct. 1, 2) will more particularly inform you, by which you will perceive that all the country save what are within cannon shott of the Fort are left absolutely prisoners at discretion. Wee therefore, being a Councill of Warr appointed by her Royall Brittanick Majesty *etc.* to manage the affairs of the warr in those parts, thought fitt by these presents to notify to you that as we are informed you have often formerly made incursions upon some of the exposed frontiers of H.M. Collonys of New England, New York, Connecticut and New Hampshire by your savagely barberouse Indians and french, to the inhumanly murthering a great many poor inocent people, and children. Wee do therefore make known to you by these presents, that in case you shall after this comes to your hands, either by your French or Indians, directly or indirectly, commit any hostilitys, as murder, drepredations, or otherwise whatsoever, that wee will upon notice thereof make the same millitary execution upon the Chiefe of your people in this country, L'Accadie or Nova Scotia, now absolutely at our discretion : but as we abhor the barbarietys of your savage warr, so we hope you will give us no occasion to copy affter you in this respects, and as we are certainly informed that there are under your command a great many Brittish prisoners, either

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mediately in the hands of the French, or your Indians : particularly a young Gentlewoman, daughter to the Reverend Mr. Williams, Minister at Dear Field, we do expect and require that you have all the sd. prisoners, in whose hands soever they be, French or Indians, ready to deliver up to such a Flagg of truce as shall be sent for that effect from any of Her Brittanic Majesty's Govermt. to which they belong, and that by May next ensuing, otherwise you must expect that the like number of the Chiefe inhabitants of this country shall in the same manner be made slaves amongst our Indians, untill a full restitution be made of all her Brittanic Majesty's subjects, that are or shall hereafter be in your dominions, whither in the possession of French or Indians : But if you comply with our most just and reasonable demands, wee assure you your people and prisoners shall be treated with all the civillity and good manners, the Law of Warr and Nations can any-wise entitle them unto. *Signed*, (Commodore) G. Martin, (Capt.) Thos. Mathews, (Capt.) Walt. Riddell, (Capt.) Geo. Gordon ; (General) Fr. Nicholson, (Col.) Sam. Vetch, (Sir) Charles Hobby, (Col.) Robt. Reeding. *Addressed*. 1½ pp. [*C.O.* 5, 9. *Nos.* 70, 70 i.]

Oct. 14.  
Cowes.

**428.** Lord Shannon to Lord Dartmouth. I had the honour of your Lordship's of the 10th, wth. H.M. orders to embark the troops under my command, wch. I have done this day : out of the five regiments we miss but eight men, and I doe not doubt but I shall get most of them again, *etc.* *Proposes* that the ships be provisioned at Portsmouth, "as has been done on former expeditions, salt provisions being very much wanted" *etc.* *Signed*, Shannon. 1½ pp. [*C.O.* 5, 9. *No.* 1.]

Oct. 16.  
On board  
H.M.S.  
Draggon in Ye  
Bason Harbour  
of Annapolis  
Royall in  
Nova Scotia.

**429.** Memorandum of the distances of the English bounds of the sea-coast of Nova Scotia. From St. Georges to Grand Manaan 45 leagues, from thence to St. Johns 14, from thence to Schedenecto 40, from thence to Port Royall entry 45, from thence to Cape Sables 35, from thence to ye Gutt of Cancer 85, from thence to Cape St. Lawrence on Cape Brittoon Island 30, from thence to Cape Gaspe in Canada River 122, from thence to Pisquitt and Bay of Silliose 30, from thence Schedenecto and bounds by land 4 miles. *Signed*, (Capt.) Cyprian Southack. 1 p. [*C.O.* 5, 9. *No.* 76.]

Oct. 16.  
Cowes.

**430.** Lord Shannon to Lord Dartmouth. *Desires* an order for draughting some men to complete the 400 ordered out of the Portsmouth Garrison, *etc.* *Signed*, Shannon. 2 pp. *Enclosed*,

430. i. The true state of the forces commanded by the Right Hon. the Lord Viscount Shannon, as they were embark'd Oct. 14, 1710. 161 officers, 465 non-coms., 2639 centinels. 1 p. [*C.O.* 5, 9. *Nos.* 2, 2 i.]

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[Oct. 17].

**431.** Lt. Gully to the Council of Trade and Plantations. Having served as first lieutenant of the free company at New-foundland for some years without any complaint made against him, and Major Lloyd being dead, *prays* to be recommended for the command. *Signed*, Timothy Gully. *Endorsed*, Reed. Oct. 17, Read Nov. 10, 1710. 1 p. [C.O. 194, 4. No. 139.]

Oct. 19.

**432.** Memorandum of Commission appointing Mr. Moore a Commissioner of Trade and Plantations.  $\frac{1}{2}$  p. [C.O. 388, 76. No. 104.]

Oct. 20.

**433.** List of Inhabitants within 3 miles circuit of Annapolis Royall, which is agreed to be all comprehended in the capitulation delivered to Col. Vetch by Mr. Alleyn. *Total*, 481. *Names given*. *Signed*, Sam. Vetch. 3 pp. [C.O. 5, 9. No. 77.]

[Oct. 20 ?].

**434.** Plan of Annapolis Royall Fort on the River Dauphin *etc.* 1 large p. [C.O. 5, 9. No. 78.]

Oct. 23.

Portsmouth  
in New  
Hampshire in  
New England.

**435.** Address of the Governour, Council and Representatives of New Hampshire to the Queen. Your most sacred Majesties most loyal and dutiful subjects are deeply sensible of your Majesties princely regard and favour in the support and defence of this Province by the late supply of cannon and other warlike stores sent hither as wel as in your Majesties most gracious care for us, in sending such a Force of shippes and marine forces, who in conjunction with the Forces drawn out of these Provinces, have by the good Providence of Almighty God put your Majestie into possession of that important Fort of Port Royal, the head of Nova Scotia and L'Accadie, who have been these seven years the great pest and trouble of all the Navigation and Trade of your Majesties Provinces on the coast of America. Your Majestie's most dutifull and loyal subjects doe from this success and benefitt take encouragement most humbly to address your Majestie that such a number of your Majesties shippes of warr and Forces may be sent early the next spring to visitt Quebeck and Mont Real, with such additional Forces from all your Majesties Governments on the shore of America, as may by the Favour of Almighty God reduce those places to your Majesties obedience; and thereby make the whole North America an addition to your Majesties Imperial Crown and dignity, from whence by the industry of your Majesties leidge people at present inhabitants, with such others as may be planted here, all sorts of Naval Stores may with industry, and without any hazard or interruption be transported home sufficient not onely for your Majesties service in the Kingdoms of Great Brittain and Ireland but for all Europe, to the great increase of Trade and Navigation, the improvement of shippes and breed of sailors. Your Majesties most loyal and obedient subjects most humbly beseech Almighty God for your Majesties health, long life, and the addition of further glorious victories over the great oppressor of the liberties of Europe.

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*Signed*, J. Dudley : Cha. Story, Secretary of the Council ; Richard Gerrish, Speaker of the House of Representatives. 1 p. [C.O. 5, 10. No. 3.]

Oct. 23.  
London.

**436.** Col. Alexander to [? *the Earl of Dartmouth*]. Since I had the honour to see you, I understand a report from the Comptrollers of the Army, relating to the complaints of Governour Parks against Col. Jones, will be laid on Tuesday next before a Committee of the Councell att his Grace the Duke of Queensborough's Office. I humbly begg you will please to interpose between a man (who is to well known to say anything off) and a corps of men, which by his malice are already reduced to the last extremity. Should the groundless complaints of Governour Parks levell'd at Col. Jones, be of any weight, the Regiment now in the Leward Islands must be inevitably ruin'd, the soldiers being hetherto subsisted by their officers, who were trusted by the inhabitants, on the credit of their pay, which if not speedely remitted must necessarily involve both inhabitants and soldiers in the same common ruin, *etc.* An officer is arrived from the Leward Islands prepared to sett the matter in a clear light, *etc.* *Signed*, H. Alexander. 2 pp. [C.O. 152, 42. No. 42.]

Oct. 24.  
Williamsburgh  
in Virginia.

**437.** Lt. Governor Spotswood to the Council of Trade and Plantations. Since my last (Aug. 18) by the *Maidstone* (of which I enclose a duplicate) I have not had the honour of any from your Lordships, so am only now to pursue the relation of the affairs of this Government where I then left off. The measures I had proposed to myself for detecting the persons concerned in that illegal trade to Currasoa and St. Thomas's, by examining the books of the Custome-house Officers, and comparing the clearings of the vessells with ther certificates of the discharge of their loading in the Plantations, have not given me the light I expected : so that I am forced to have recourse to the means of finding out and examining the men that sailed in those vessells, and am not without hopes of making discoverys, sufficient to be the foundation of a prosecution against the offenders, and thereby discouraging a trade so pernicious to H.M. interest and service. I herewith send your Lordships the Journals of Council in the time of the late President, which I understand have not been yet transmitted. Your Lorps. will be pleased to excuse me from offering any remarks on what is contained therein, as being wholly a stranger to all the proceedings, and besides I'm told that Col. Jennings has from time to time given your Lorps. an account of what is most remarkable. Your Lorps. will likewise receive with this the Journals of Council since my entrance upon the Government, together with the copys of the Proclamations issued in that time : upon which having already imparted to your Lordps. what is most material, I have little now to add except that upon some dissatisfactions I found among the people, in reference to H.M. late Instruction for granting of land, and that by false reports they had been ledd into an opinion that those Instructions contained harder terms than they really do, I thought it necessary

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to prepare a proclamation, not only to disabuse the country as to any false conceptions they had of H.M. royal intentions, but to soften what appear'd harsh to them in the Instruction, and to make the alteration proposed therein go down the more easily : but having communicated this proclamation to the Council at their last meeting before the Genll. Court, they represented it as a matter of that consequence, as would deserve the consideration of a very full Council, in respect of the influence it might have on the minds of the People just upon the meeting of an Assembly : so it rests till I have further opportunity to discover the humour of the Country : and I have not thought fit to give your Lordps. the trouble of perusing it as being yet imperfect. I cannot yet see what will be the temper of the next Assembly, the inclinations of the Country being rendered more misterious by a new and unaccountable humour which hath obtained in several countys of excluding the Gentlemen from being Burgesses, and chusing only persons of mean figure and character : by what I have yet heard, the business of taking up land is the cheif grievance they have recommended to their Burgesses to get redressed. All I can assure your Lorps. of, as to this or any other of their proceedings, is, that if I have not the dexterity to apply them to H.M. service, I shall at least have the courage and honesty to prevent their acting anything contrary to it. I have observed among other causes of the partys and factions that arise in this Country upon the election of Members for the Assembly, there is one like to be very often renewed so long as the Country is in a growing condition ; and that is, the applications which the People have occasion to make for dividing old and erecting new parishes : this it seems hath been heretofore done by Act of Assembly, and the People in their elections have oftner considered the disposition of the Burgesses to such particular designs, than their qualifications for promoting the publick interest ; but finding in my Instructions that H.M. hath given power to Her Governor to bound and settle parrishes, as he shall think fitt, without even naming the intervention of the Council, I am apt to beleive that the erection or division of parishes may be a branch of the Crown's Prerogative in Ecclesiastical affairs, and indeed if on this occasion to have recourse to H.M. Governor be the justest application, I am perswaded it will prove also the easiest to the people, forasmuch as the Governor is ever likely to prove the most disinterested Judge in such an affair, and that he never will have it in his power to oppress the people by any burthensome division, if either a new Instruction from H.M. or a law to be passed here, shall limitt the number of tithables to be charged with the maintenance of a Minister. Yet because my predecessors (tho' they had the same Instruction) have hitherto allowed this matter to be handled and determined by the Assembly, I humbly desire your Lorps.' direction therein ; for as I resolve never to suffer any encroachments on H.M. prerogative, so on the other hand I would very unwillingly be engaged in a dispute with the Assembly unless it be thought worth the contending for. There is a project intended to be handed to the next Assembly for improve-

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ment of the iron mines lately discovered in this Country, which upon tryal have been found to be very rich and good. It is proposed that the work be carryed on at the publick charge, that the Assembly raise a fund for that purpose, and have the disposal of the profits thereof, when it comes to perfection, for answering the publick expences of the Government. If the Assembly should proceed so far therein this Session as to prepare an act for the encouragement of this work, I hope I may give my consent to it without infringing H.M. Instruction, which restrains me from passing acts of an extraordinary nature, since I do not at present apprehend any disadvantage which this may occasion to H.M. service, or the trade of Great Brittain; because the Nation is obliged to import great quantitys of iron from forreigne parts, which if this succeeds, may be supplied from hence: at least if it should be found prejudicial, the Act may be repealed by H.M. long before it can take any effect here, since they can enter on no part of their work till they have their workmen and materials from England. And here I take occasion to beg your Lordps.' favourable interpretation of the earnest endeavours I shall always use in these parts to promote the interest of H.M., and that of my Mother Country (Great Brittain), so that when it may happen that I yeild to the instances of the People, and pass here a law of this nature (which if it be not acceptable to H.M. can be null'd ere it become in force) I hope your Lordps. will conclude that such a compliance on my part may sometimes be necessary, in order to preserve a good correspondence with them, and thereby compass some other advantages for H.M. service. I have for these two months past expected here Mr. Hamilton, who is impowered to settle a post through this country and the neighbouring Colonys, and am just informed he is come to Kiquotan; I believe the thing is very feasible; and shall do all that lyes in my power to encourage a project which may hereafter bring in a considerable revenue to H.M. The greatest obstruction which I apprehend in it is from the want of money fitt for change, and to pass in paying the postage of letters, there being now only tobacco, which is a specie very incommodious to receive small payments in, and of very uncertain value. The Commissioners appointed for settling the boundarys between this Colony and Carolina, being lately returned, have delivered me a Journal and report of their proceedings: and since I cannot on this sudden departure of the Fleet give yr. Lordps. a better relation of the transactions that have been hitherto in that affair, than by the same journal and report, I beg leave to send here inclosed a transcript thereof, with the opinion of the Council thereupon, in which is summ'd up the true conclusions that may be drawn from the dilatoryness of the Carolina Commissioners, and the plain evidence of H.M. right to the lands in dispute, with an humble representation to your Lordps. of what is thought necessary to be obtained from the Lords Proprietors for H.M. service. I shall use my best endeavours to bring this matter to a speedy determination, and in the mean time lay before your Lordps. an account of the several transactions therein as occasion

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offers. All I shall observe at present is that the tract of land in dispute is of considerable value and worth the claiming, being near 20 miles broad between the two contested limits, and how far it extends in length westward no man can tell. While I was sitting last Friday in the General Court, I observed several petitions for land presented and read there, in a strain that seemed to me very extraordinary; for the petitions for lapsed land concluded with this remarkable expression, vizt., that the General Court would give the Petitioner a grant of a tract of lapsed land petitioned for, and in the petitions for escheated land after setting forth that such a tract of land hath been found to escheat to H.M., the petitioner prayed the Genl. Court to order that a patent might issue to him for the same; and upon enquiry I found it hath been the practice of the General Court to grant orders accordingly. Whereupon I immediatly adjourned the Court, and called a Council. I told them how much I was surprized to see petitions presented to the General Court and orders pass there in a stile wch. I thought very derogatory from H.M. prerogative, since no Court could order H.M. to dispose of her own property, and that the proper application for grants of land being to be made to H.M. in the person of her Governor, I could not suffer such petitions to be offered there, nor such orders to pass. They alledged that the proceedings of the General Court in relation to land were grounded on the late Act of Assembly concerning the granting, seating and planting of land, etc., which directs how lands that are lapsed or escheated shall be granted, and that law being still in force here, the people believed they had a right to make their application to the General Court as they are directed thereby. I answered that they knew very well that H.M. had repealed that law, and beleived for that very reason of it's invading H.M. Prerogative; that however I was not against having petitions brought into the General Court for the more legal traversing of escheats, or for disputing whither the land petitioned for was duly proved to be lapsed, but that when the General Court had once decided the right to the land to be vested in the Crown, they had done all they had authority to do, and the petitioners ought then to apply themselves to the Governor for obtaining grants. And that I hoped the Court would not take upon them to determine anything to the prejudice of H.M. prerogative, upon a law that they were satisfyed was repealed, tho' that repeal was not formally notified here. At last we came to this resolution, that the General Court would for this session in all cases of private right between subject and subject judge upon that law as a law in force: but that all petitions for land and all other cases wherein H.M. prerogative might be concerned should be referr'd till the next General Court, in expectation that before then H.M. order may arrive for repealing that law in form or that this Assembly may alter it by preparing another law fitter for H.M. royal approbation. I beg to offer to your Lordps. what hath been urged to me against taking up land as proposed in H.M. Instruction, which is, that there being laws past from time to time declaring what is meant by the seating and planting

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of land, no new terms of seating can be exacted, while those laws are in force, and that if the late law concerning the granting, seating and planting of land *etc.* be repealed, there will then be another revived less beneficial to H.M., which is the 20th Act of Assembly, 1666, declaring what is meant by seating of land. And therefore for preventing any manner of argument which may arise upon that law, after the repealing the other concerning the granting, seating and planting of land, *etc.*, I humbly propose that H.M. may be moved likewise by her Order in Council to repeal that other Act in 1666, which will then leave people no pretence of cavilling or objecting that H.M. Instructions are contrary to the laws in force. I have again advised with the Council in relation to the Courts of Oyer and Terminer, and have pursuant to H.M. Instructions appointed the first Court to be held at Williamsburgh, Dec. 2nd, and the Council have advised me to recommend to this Assembly to make the same provision for defraying the charge of the juries and witnesses attending this Court as is made in tryals of criminals at the General Courts. P.S. Oct. 26. Since writing this letter, some Nations of our Tributary Indians who live in the contested bounds between this Colony and Carolina, have brought me a petition desiring that the lands reserved to them by the Articles of Peace made with this Government in 1677 may be now laid out for them, which furnishes me with a new argument that the lands in dispute do of right belong to H.M.; for had the Government of Carolina look'd upon that land to be within [*their*] bound, they would certainly have excepted against a Treaty (made so soon after their Grant) whereby those Indians are declared tributarys to this Government, and to hold their land by patent under the Great Seal thereof upon paying an annual acknowledgement of three Indian arrows in token of their subjection. By vertue of this Treaty, those Indians have lived quietly under the protection of this Governmt., and without the least pretention made by Carolina till within these few years. This country have taken great care to keep that Treaty inviolably, and several laws have been made from time to time for the more effectual execution of it; but should it be the fate of those poor Indians to fall under the Government of Carolina, it is much to be doubted whether any of those Articles would be kept to them, and your Lordps. will easily imagine how much it would exasperate them to find that contrary to a solemn Treaty, on the faith of which they have lived quietly so many years, they must be now turned over to new masters, and subjected to new laws. I have likewise just now received a representation of Mr. Byrd, wch. by this conveyance he makes to my Lord Treasurer, and wch. I think proper to transmit to your Lordps., it being such a proposal as I think cannot but turne to the advantage of the Countrey. *Signed*, A. Spotswood. *Endorsed*, Recd. 25th Dec., Read 8th Jan., 17<sup>10</sup>/<sub>11</sub>. 7<sup>1</sup>/<sub>2</sub> pp. *Enclosed*,

437. i. Copies of Proclamations issued by Col. Jennings, President of the Council of Virginia. (a) For a day of fasting and humiliation, Jan. 11, 1710. *Signed*, E.

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- Jenings, Dec. 8, 1709. (b) To permit export of corn. *Signed*, E. Jennings, March 9, 1709 (10). (c) To prevent negro slaves assembling together. *Signed*, E. Jennings, March 21, 1709 (10). (d) For the apprehension of stragling seamen. *Signed*, E. Jennings, March 21, 1709 (10). (e) For the apprehension of a negro slave notoriously active in stirring up negroes in Surrey County to levy war against H.M. Government. *Signed*, E. Jennings, April 21, 1710. 4 pp.
437. ii. Copies of Proclamations issued by Lt. Governor Spotswood. (a) For continuing officers. *Signed*, A. Spotswood, June 23, 1710. (b) Declaring the Act establishing ports and towns *etc.* null and void. *Signed*, A. Spotswood, July 6, 1710. (c) For preserving the rights and properties of the subject. *Signed*, A. Spotswood, July 6, 1710. (d) To prevent the entertainment of runaway seamen, *etc.* *Signed*, A. Spotswood, July 27, 1710. *The whole endorsed*, Recd. Dec. 25, 1710. 6½ pp.
437. iii. Journal of proceedings of Philip Ludwell and Nathaniel Harrison, Commissioners appointed for settling the Boundaries between Virginia and Carolina, July 18-Oct. 4, 1710. The conclusion of the Commissioners is that the place called Waycocon is the place called Weyanoak Creek in the Carolina Charter. From the backwardness of the Carolina Commissioners to meet us and to bring this business to a conclusion, together with the frivolous objections they make upon all occasions to retard our proceedings *etc.*, we cannot choose but believe that they, or one of them at least, is convinced of this, *etc.* *Signed*, Phil. Ludwell, N. Harrison. 12 pp.
437. iv. Copy of proceedings of Council of Virginia upon above Report, Oct. 24, 1710. 4½ pp. *Endorsed*, Recd. Dec. 25, 1710. 4½ pp.
437. v. Representation of Wm. Byrd, H.M. Receiver General of Virginia, to Lord Godolphin, Lord High Treasurer. By favour of H.M. and her royal predecessors, the inhabitants of Virginia have been allowed to pay for their quit-rent 24*lb.* of tobacco instead of 2*s.* for every 100 acres granted to them by patent. Tobacco is grown of no value by reason that the vast quantity now made exceeds all consumption. The poverty of the inhabitants under such circumstances disables them from paying money for the said quit-rents. Most of the land would produce hemp, flax, rosin and other Naval Stores. *Proposes* that those who shall not chuse to pay money, shall be required to pay one or more of the said Naval Stores, *etc.*, *etc.* *Signed*, Wm. Byrd. *Endorsed*, Recd. Dec. 25, 1710. 1½ pp.
437. vi. Duplicate of preceding. [*C.O.* 5, 1316. Nos. 54, 54 i.-vi. ; and (without enclosures) 5, 1363. pp. 228-244.]

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[? Oct. 24]. **438.** Same to [?Lord Dartmouth]. Encloses following *etc.* Signed, A. Spotswood. *Endorsed*, Recd. beginning of Jan., 17 $\frac{10}{11}$ . *No date.* 1 p. *Enclosed*,  
438. i. Proclamations by Col. Jenings and Lt. Gov. Spotswood. *Duplicates of Nos.* 437 i., ii. [*C.O.* 5, 1341. *Nos.* 12, 12 i.]
- [Oct. 26]. **439.** Proposals for preventing undue proceedings in the Courts of Barbados. *No signature.* *Endorsed*, Recd. Oct. 26, Read Nov. 1st, 1710. 6 pp. [*C.O.* 28, 13. *No.* 47.]
- Oct. 26.  
Whitehall. **440.** Council of Trade and Plantations to Col. Lillington. In answer to your letters of June 11 and Aug. 1st, H.M. has been pleased to determine that matter in such manner as you will finde by the inclosed copy of H.M. Order in Council. Wee shall at a convenient opportunity take into consideration the papers you have sent us, Aug. 1st. [*C.O.* 29, 12. pp. 313, 314.]
- Oct. 26.  
Whitehall. **441.** Council of Trade and Plantations to the Queen. We have received a letter from the Council of Maryland, dated Feb. 2, 170 $\frac{9}{10}$ , wherewith they transmit to us several laws past at a General Assembly in Nov. 1709, after the death of the late Governor Col. Seymour, which laws were past by the Councill and Assembly on Nov. 10, and the next day were assented to by the Councillors as Governor in Cheif. Upon which we beg leave to observe that by your Majesty's Instructions to ye said late Governor, it is provided that in case of his death or absence (if there is no Lt. Governor appointed by your Majesty upon the place) the Council do take upon them the administration of the Government, and that the eldest Counsellor then residing upon the place do preside ; but it having been observ'd that the said Instructions had occasion'd many controversies and disputes touching the power of Government, your Majesty by an Additional Instruction, May, 3, 1707, was pleas'd to direct that in case of the death or absence of the Governor (if there is no Lt. Governor appointed by your Majty. upon the place) the then President of ye Council do take upon him the administration of the Government, and execute the several powers in your Majesty's Commission and Instructions, as Governor and Commander in Cheif. But these laws having been past contrary to the intent and meaning of the first of the said Instructions, and contrary to the plain words of the latter, we therefore humbly offer that your Majesty be pleased to signify your disallowance and disapprobation thereof. *Annexed*,  
441. i. List of Acts passed in Maryland, Nov. 11, 1709. [*C.O.* 5, 727. pp. 188-192.]
- Oct. 26.  
Whitehall. **442.** Same to the President of the Council of Maryland. We have received a letter signed by you with the rest of the Council of Maryland of Feb. 2nd, transmitting the Journals of the Council and Assembly of the Province. and several laws then past. We find by the said letter that the Council have taken upon them the administration of the Government. which is

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contrary to the plain words of H.M. Instruction May 3 (*n pre-ceding*). Wherefore we look upon the said laws to have been pass'd without sufficient authority, and have therefore laid them before H.M. for her disapprobation and disallowance. However, if any of the said laws do seem to you of absolute necessity for the good Government and welfare of the Province, they may be re-enacted by the President (as Comander-in-Chief) Councill and Assembly, and when such law shall be transmitted to us with ye reasons for passing ye same (wch. ought always to be sent with ye laws) they will be considered and laid before H.M. at a proper opportunity. [*C.O.* 5, 727. *pp.* 192, 193.]

Oct. 26.  
Office of  
Ordnance.

**443.** Board of Ordnance to the Council of Trade and Plantations. Being now preparing the estimates of this Office, in order to be laid before the Parliament, and having sent several great quantities of ordnance stores to H.M. Plantations and Islands in America, for which we receiv'd no satisfaction, we desire your Lordps. will please let us know if there be any demands for any stores *etc.* *Signed*, C. Musgrave, Ja. Craggs, Wm. Bridges. *Endorsed*, Reed. Read Oct. 27, 1710. 1 *p.* [*C.O.* 323, 7. *No.* 5; and 324, 9. *pp.* 445, 446.]

Oct. 26.  
Whitehall.

**444.** Mr. Popple to Mr. Bridger, Surveyor General of the Woods on the Continent of America. *Acknowledges* letter of July 26. The Lords Commissioners of Trade and Plantations are well pleased with the hopes you give them of success in the design of furnishing this Kingdom with Naval Stores from New York; but as to what you write in relation to the charge you are or shall be at in assisting to seat and instruct the Palatines in the method of making tar, they acquaint you that as there is a fund appointed for that service, you may best settle that matter with Col. Hunter. In relation to the seizures of masts, they refer you to their letter of Jan. 16. As to what you writ touching private grants to townships, and H.M. being excluded thereby from cutting masts, their Lordships send you the opinion of Mr. Eyre, H.M. late Solicitor General. [*C.O.* 5, 1122. *pp.* 188, 189.]

Oct. 26.  
Whitehall.

**445.** Same to Col. Quarry. Your letter to Mr. Pulteney, July 5, has been laid before the Council of Trade and Plantations. It is with great satisfaction they hear that by the prudent management of Col. Hunter there is a likelihood of composing the differences in New Jersey, and uniting and reconciling all disputes and former quarrels, which have been so frequent in that Province. And their Lordships doubt not but Col. Hunter will compleat so good a work, and that the Assembly will at their meeting do everything that may be necessary for the good and welfare of the said Province and H.M. service. Their Lordships are likewise glad to hear that he has taken such measures towards settling the Palatines, who will as you observe be a great advantage and security of the Provinces under his Government. As to Col. Nicholson, their Lordships have not heard from him since his departure from hence, but are in hopes to receive a very good account of his Expedition. [*C.O.* 5, 1122. *pp.* 190, 191.]

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Oct. 26.  
Whitehall.

**446.** Council of Trade and Plantations to the Lord Dartmouth. *Quote* Governor Hunter's letter (July 24) concerning mistakes in the names of Councillors *etc.* The names are correctly given in the entry of Col. Hunter's Instructions in our books, so that the mistake must have been committed by the Transcriber, and therefore we desire your Lordship will move H.M. that this matter may be rectified. [*C.O.* 5, 1122. *pp.* 191, 192; and 5, 1084. *No.* 42.]

Oct. 26.  
Whitehall.

**447.** Same to the Queen. *Quote* Governor Hunter's letter concerning the difficulty he meets with in seating the frontiers, *etc.* (*v.* July 24). Wherefore we humbly offer that your Majesty be pleased to allow of an alteration in his Instructions, vizt., that the Covenant in every grant of land on the frontiers be to plant, settle and effectually cultivate at least three acres for every 50 acres of land in 3 years after the end of the present war with France; which will increase your Majesty's quit-rents in the meanwhile, and facilitate the seating of the frontiers after a Peace; and that your Majesty's pleasure herein be signified to the said Governor. [*C.O.* 5, 1122. *pp.* 193, 194.]

Oct. 26.  
Whitehall.

**448.** Same to Governor Hunter. We have received your letter of July 24, and congratulate you upon your safe arrival at New York. We are glad to hear that the men in the *Berkley* frigate escaped with their lives, and that the goods tho' damaged were not wholly lost; and do hope that the *Berkley Castle* is arrived ere this. We are well perswaded of your care and diligence in settling the Palatines to the best advantage. Altho' the lands on the Mohack River may not be proper for the produce of Naval Stores, and consequently not proper for the settlement of the said Palatines, yet we cannot but think you will be able to find other lands for that purpose. And as you have informed us that you are upon a treaty with some persons for lands in Hudson's River, we wish you had explained what the terms were on which the said lands had been offered you, that we might have given you our thoughts therein. Tho' feuds and animosities between some of H.M. subjects in New York have for some time past been carryed to a great height, yet we hope from your prudence and good conduct they will be allay'd, it being so much their interest in particular, as well as that of the Province in general. *Refer* to the mistake in the names of the Councillors (*v.* July 24 and Oct. 26 *supra*). Your swearing them into the Council will not be misinterpreted, they being the persons intended, *etc.* *Acknowledge* receipt of the old seals. We have considered what you write in relation to Capt. Evance's grant, but at present can give you no particular directions therein. However, in the meantime, you may go on in the patenting such other lands as shall appear most advantageous for H.M. interest and for the settlement of the frontiers. As to what you write in relation to your Instructions that patentees shall cultivate 3 acres for every 50 in 3 years *etc.*, we do concur with you therein; and shall accordingly

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lay it before H.M. We are glad to find the Senecas have cleared themselves of the suspicion they lay under ; and that the Waganhas are come off from the French interest. We shall expect to hear the effect of your interview with the Five Nations ; tho' we doubt not but that by your ability and prudent management of them, they will be kept steady in their duty to the Crown and as Frontier against the French. You have don well to give Col. Dudley an account of the intelligence you had of the French and their Indians. But as we hope Col. Nicholson will have success in the expedition he is gon upon, we believe the French will be less able to disturb the settlements in New England for the future. We have received a letter from Col. Ingoldesby (March 15), with several Acts *etc.* past in New Jersey. But whereas he has neither given the reasons for the passing the said Acts, nor sent us his observations upon each of them as he ought to have done, we desire that you will let us have your observations thereupon as soon as may be, that we may consider the said Acts at a proper opportunity. [*C.O.* 5, 1122. *pp.* 195-199.]

Oct. 26.  
Whitehall.

**449.** Same to Lt. Governor Spotswood. We have received your letter of Aug. 18, and congratulate you upon your safe arrival. The omission in your Instructions of Col. Bird's name, was occasioned by the fault of the transcriber, but Mr. Perry having some time ago informed us of that matter, we represented the same to H.M., who has thereupon been pleased by her letter mandatory to direct that he be reinstated *etc.* (*cf.* Sept. 22). Having not seen the reasons for altering the method of selling the tobacco paid for quit-rents by inch of candle, we are not able to say anything in particular upon what you write on that matter, tho' you say those reasons have been transmitted to our Board, yet not knowing by whom or in what year it was, it is not easy to have recourse to them, and therefore we shall expect from you a copy of those reasons with your particular opinion thereupon. For we are not fully satisfied that the method now in use is so much for H.M. interest as that prescribed by your Instructions. We shall expect from you according to your promise, an account of what you have done in relation to the fees of the several officers. Though the Act for granting and seating of lands was repealed by H.M., as by the copy of the Order for that purpose, signed by our Secretary, does appear, yet you have acted prudently in not publishing the same without any original Order from the Council Office ; and therefore we will take care to send you one by the first opportunity. Your diligence in endeavouring to detect illegal trade with Curaçoa and St. Thomas is very commendable. We shall expect an account as you promised of your proceedings therein, and advise you to use your utmost endeavours to discourage such illegal practises upon all occasions. We agree with you in what you write about the necessity of having guardships for your Government, and as we writ you May 17 last, the *Triton's* prize was dispatch'd from hence to cruize with the *Enterprize* between the Capes ; however we shall lay what you now write before the Lords Commissioners of the

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Admiralty for their directions therein. What you propose in relation to the building of a fort at Point Comfort, is a matter that requires consideration. You say the charge thereof will be but small. If so, and if the same be so much for the security of the inhabitants and their shipping, we cannot doubt but they will readily contribute to that work. We are glad to find you have such a prospect of a good crop, and hope that tobacco's will find a better price here for the future. P.S. We have communicated to the Commissioners of H.M. Customs that paragraph of your letter which relates to the Custome House Officer having a boat in James River *etc.* [C.O. 5, 1363. pp. 218-221; and 5, 1335. pp. 62-66.]

Oct. 27. **450.** Mr. Popple to Mr. Carkesse. Encloses extract from  
Whitehall. Lt. Governor Spotswood's letter (Aug. 18) to be laid before the Commissioners of Customs. (*Cf. preceding.*) [C.O. 5, 1363. pp. 221, 222; and 5, 1335. p. 70.]

Oct. 27. **451.** Mr. Popple to Governor Parke. *Acknowledges* letters  
Whitehall. of Aug. 1 and 16. The depositions, as you desir'd, have been deliver'd to Mr. Perry. The Lords Commrs. of Trade find in the Minutes of the General Council of the Leeward Islands April 10, 1710, that you have pursuant to H.M. Order broken the old seal. They desire that you will forthwith transmitt the same to be laid before H.M. in Council. [C.O. 153, 11. pp. 74, 75.]

Oct. 27. **452.** Mr. Popple to Mr. Burchett. *Encloses* extract from  
Whitehall. Col. Spotswood's letter, Aug. 18, relating to guard-ships for Virginia, to be laid before the Lords Commissioners of the Admiralty. [C.O. 5, 1363. pp. 222, 223; and 5, 1335. pp. 72, 73.]

Oct. 28. **453.** Mr. Burchett to Mr. Popple. In answer *to preceding*,  
Admiralty the Lords of the Admiralty, direct me to acquaint you that  
Office. H.M.S. *Enterprize* and *Tryton's* prize are now at Virginia, and under particular orders to cruize about and between the Capes, and as to what Col. Spotswood desires, that the ships appointed to attend on the Colony of Virginia may victuall there and not at New Yorke, the Commrs. for Victualling are directed to report their opinion therein. *Signed*, J. Burchett. *Endorsed*, Recd. 30th, Read 31st Oct., 1710. 1 p. [C.O. 5, 1316. No. 52; and 5, 1363. pp. 223, 224.]

Oct. 28. **454.** Lord Dartmouth to Governor Hunter. H.M. approves  
Whitehall. of what you have done in swearing Messrs. Provost and Walters of the Councill, *etc.* Encloses Representation of Oct. 26. *q.v.* *Signed*, Dartmouth. [C.O. 324, 32. pp. 32, 33; and 324, 31. pp. 6, 7.]

Oct. 30. **455.** Copy of Order in Council, Oct. 30, 1690, but dated Oct.  
Whitehall. 30, 1710. (*v.* A.P.C. II. No. 383). [C.O. 5, 720. No. 9.]

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Oct. 31.  
Whitehall.      **456.** Council of Trade and Plantations to the Queen. *Quote* Governor Handasyd's proposal as to escheats found for H.M. in Jamaica, May, 1709, and offer that, the Palatines having been disposed of otherwise, the Governor may be directed to grant the same as shall be of greatest advantage. [*C.O.* 138, 13. *pp.* 296, 297.]
- Oct. 31.  
Whitehall.      **457.** Same to Governor the Lord Archibald Hamilton. *Quote* the opinion of the late Solicitor General (*supra*) upon the Act of Jamaica, 1709, *for regulating fees*. Your Lordship will do well to lay the same before the Assembly, and endeavour to get them to pass a new Act for regulating fees not liable to the objections made by Mr. Solicitor General, otherwise we shall be obliged to lay the above-mentioned Act before H.M. for her disallowance. [*C.O.* 138, 13. *pp.* 297, 298.]
- Oct. 31.  
Whitehall.      **458.** Council of Trade and Plantations to the Principal Officers of the Ordnance. There is no demand of stores from any of the Plantations, *etc.* *cf.* Oct. 26. [*C.O.* 324, 9. *pp.* 446, 447.]
- [? Oct.]      **459.** Three members of Assembly of Barbados to the Council of Trade and Plantations. *Refer to letter of July 8th etc.* The Assembly having on July 27th desir'd a conference in relation to the Council's haveing rejected Mr. Ball as treasurer, the Councill on Sept. 5th answered, that they are ready to conferr with the Assembly on all the amendments to the Excise Bill except the first, upon wch. they have appealed to H.M., and therefor think themselves oblidge to wait her royal determination : but if the Assembly think fit to choose any proper person, neither of the Councill nor Assembly to be Treasurer of this Island, the Councill are willing to join with them in the said choice ; which answer as it is neither agreeable to the proceedings of the Councill who upon the same amendment to the former and second Excise Bill did not refuse to conferr with the Assembly, tho' they had before such conference appealed to her most sacred Majesty, so it forecloses the ancient and only method of determining by a free and friendly conference any unhappy differences that may arise between those two houses, and such denial of one part of the Legislature to conferr with the other, may prove a president of the most fatal consequence. And least the majority of the Councill should pretend that they have reasons agst. Mr. Downs, and that the Assembly hath offered none agt. Mr. Bate, whom the Councill nominated in the second Excise Bill, we begg to informe your Lordships that Mr. Bate then was and still continues to be Factor to the Royal Affrican Company, and as such is by an Act of the late King incapacitated of being of the Councill, or being Judge of any of the Courts here, and how much stronger will the reason be why he should not be the Treasurer, and have in his custody the whole cash of this Island, we humbly submitt to yr. Lordships' consideration. We assure your Lordships no private engagements or interest has had any inducement upon us in our persisting in our claim of right of

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appointeing of a Treasurer, as we are the Representative body of the people, and are entrusted with their rights and liberties, and tho' this our application lyes under the disadvantage of the want of an advocat, or agent, yet we rest assured of your Lordships' tender care and concern of this the People's only right now left them; and indeed since the right of appointeing agents has been denied the Assembly, our application must henceforward be immediatly to yr. Lordships, for since all orders for the payment of Agents' salaries, and the examination of their accompts must be by the Governor and Council, they are no longer the Assemblies, but wholly the Councill's Agents, and if they act not wholly after their direction, they can't expect their salaries, or passing of their accounts, as has been experienced by Wm. Heysham Esq., whose accounts have been referred for some months together to the consideration of some members of the Council, and his salary unsatisfied, when Mr. Tryon's concerns at the same time met a quite contrary fate, *etc.* *Signed*, Guy Ball, Tho. Maxwell, Edmund Sutton. *Endorsed*, Recd. 11th, Read 12th Dec., 1710. 2 pp. *Enclosed*,

459. i. Duplicate of same to same, July 8th. [C.O. 28, 13. Nos. 52, 52 i.]

[? Oct.]

**460.** General Nicholson and the Council of War at Annapolis Royal to the Queen. Your Majesty's Memoriallist having by the blessing of God upon your Majesty's most just arms under our command reduced to your royall obedience the Fort of Port Royall, now Annapolis Royall, the only fortify'd place in all the vast territorys of L'Accadie and Nova Scotia, the dominion of which under the French King's Governour of this Garrison of Annapolis Royall now under your Majesty's obedience reached by this Commission from the River of St. Croy to the Cape Gaspee, which makes the enterence into the great River St. Lawrance or Canada, togather with all Islands whatsoever within the said district, and as such a vast large dominion as is now most happily added to your Majesty's mighty Empire in America cannot but be judged worthy your Majesty's Royall care and that of your Parliament as being a country not only vastly fertile in catle grain and all sorts of fishery but capeable if improved to put the British Empire out of the reverence of any forraigne power for all sorts of Navall stores as well as timber for building of shiping, the climate being much more callculate for the British constitutions then the more southern settlements in the West Indies, we therefore out of a true regard for the honour and grandieur of your Majesty's matchless glorious reign, the intrest and advantage of the Brittish Empyre in generall do with most profound humility offer to your most sacred Majesty our most humble oppinion with regard to the settleing the said country of Nova Scotia. By the Artickles of surrendering the Fort there are no terms given to any person save the inhabitants within cannon shot of the Fort, which besides the garrison do amount to about 500 people men women and children, all the rest are intirely at the discretion of your Majesty's victorious arms, but in

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regard of the season's being so far advanced, and the vast extent of the country yet to be subdued as well as not having any particular Instructions from your Majesty how to dispose of the inhabitants whither French or Indians, or what terms to give them, we have only settled in the Fort of Annapolis Royall 500 troops consisting of 200 marins, a company of 50 matrosses and 250 volunteers out of the troops of the several Governments concerned in the said expedition under the command of Col. Samuel Vetch conform to your Majesty's Instructions March 18, 170<sup>th</sup>, whose directions from the Council of War is to repair fortifications, enlarge the lodgings for the garrison and keep in good subjection the inhabitants under the capitulation, not to disturb the other settlements nor to allow any of the neighbouring Governments to do so, but to give them no terms untill your Majesty's Royall pleasure be further communicated to him therein, and as it is our most humble opinion that in order to bring the native Indians entirely under your Majesty's subjection as well as to convert them to the protestant religion it will be necessary to transport all the French from the country save such as shall come over to the Protestant religion, so it would be for the advantage of the Crown, the same were don with all possible expedition, and in their places familys sent over from Great Brittain or Ireland if Protestants to cultivate and manure the improved lands as to improve the Fishery and navall stor's manufactory, the fur trade being likewise considerable here and as your Majesty hath been graciously pleased by your royall instructions to Generall Nicholson to give a right both to the soile and trade of the said country when reduced to the Governments concerned, so we doubt not they will soon address your Majesty for settleing the same in such terms as shall be concerted amongst them: And as in the mean time it will be absolutely necessary for the good of your Majesty's service in this country that the coast be protected from the infestation of the French privateers as well as from the depredations or illegall trade of your Majesty's neighbouring Collonys, so it will be impossible the same can be done unless your Majesty will be pleased to give directions to your Commissioners for executing the office of Lord High Admirall to send a frigatt of at least the force of a fifth-rate to attend the said service under the direction of the said Governour wch. will likewise be of great use in protecting the fishery which is very great upon this coast: conforme to a petition to your Majesty the last year, and that your Majesty would be pleased to appoint a Colector and direct this to be the only port untill the country be more peopled: and as it will be absolutely necessary that untill Canada be reduced the garison of this place do allways consist of 500 good troops, so our humble oppinion is that the best way to establish the said Garison will be to form the said number of troops into a regiment of which the Governour to be Collonel or whom your Majesty shall think fitt, and the other officers conform to their severall ranks, of wch. there are enough upon your Majesty's imeadiate pay now in the garrison, and so will cost your Majesty no more expence then it

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does now. But in case your Majesty shall continue your resolution of reducing the vast country of Canada to your obedience are actions truly worthy the glory of your reign when the said country is reduced and well garrisoned, then 200 men will be sufficient to garrison the Fort of Annapolis Royall, *etc.* *Signed*, Fr. Nicholson, Sam. Vetch, Charles Hobby; G. Martin, Thos. Mathews, Walt. Riddell, Geo. Gordon.  $2\frac{1}{2}$  pp. [C.O. 5, 9. No. 75.]

Nov. 1.  
Whitehall.

**461.** Mr. Popple to John Pery, Secretary of the Royal African Company. *Asks for several returns, including an account of the number of negroes furnished by the Company to the several Plantations, Michaelmas 1708-1710, at what rates and the condition upon which they have been sold.* [C.O. 389, 21. pp. 293, 294.]

Nov. 1.  
Whitehall.

**462.** Same to Richard Harris. Encloses following to be communicated to the separate traders for their answers. *Annexed*,

**462. i.** Queries for the separate traders. (1) How much has been paid to the company by the separate traders on account of the 10 p.c. (*to the South African Company*), Michaelmas 1709-1710? (2) How many ships have been sent out on account of that trade by the private traders within that time? (3) What number of negroes have been imported into the Plantations by the private traders, Michaelmas 1709-1710, and at what rates have they usually been sold within that time? [C.O. 389, 21. pp. 294, 295.]

Nov. 1.  
Virginia.

**463.** Col. Jenings to [? Lord Dartmouth]. *Congratulations. Continues* :—An Assembly approaching, I have delayed my intended [? return home] till the spring, *etc.* *Signed*, E. Jenings. 2 pp. [C.O. 5, 1337. No. 6.]

Nov. 1.  
Virginia.

**464.** Col. Jenings to the Council of Trade and Plantations. *Refers to letter of Aug. 19 q.v.* The Assembly being mett, where I hope I may be serviceable to H.M., I shall delay my voyage till the spring, *etc.* *Signed*, E. Jenings. *Endorsed*, Recd. 4th, Read 8th June, 1711. 1 p. [C.O. 5, 1316. No. 60; and 5, 1363. pp. 273, 274.]

Nov. 2.  
Hampton  
Court.

**465.** Order of Queen in Council. Upon Representation of Sept. 26 (*q.v.*), ordered that the Engineer at Jamaica be sent to New Providence to make a survey and estimate of the charge of fortifying it. The Lords of the Admiralty are to order his transport *etc.* (*v.* A.P.C. II., No. 1060). *Endorsed*, Recd. 24th, Read 27th Nov., 1710.  $1\frac{1}{2}$  pp. [C.O. 5, 1264. No. 104; and 5, 1292. pp. 233, 234; and (*signed*, William Blathwayt) 5, 11. No. 57.]

1710.  
Nov. 2.  
Barbados. **466.** Mr. Lillington to the Council of Trade and Plantations. *Acknowledges* letter of Aug. 29 and encloses duplicates of Minutes of Council and Assembly sent by the *Lusitaniah*. The refusal of the Council to confer with the Assembly (after the Council had once before and since their appeal to H.M. confer'd with the Assembly upon the like amendments to a former Bill) I humbly submit to your Lordships consideration. *Signed*, G. Lillington. *Endorsed*, Recd. 8th, Read 23rd Jan., 1711. *Addressed*. Per ye Mattapony Gally. *Postmark*. 1 p. [*C.O.* 28, 13. *No.* 54; and 29, 12. *pp.* 325, 326.]
- Nov. 2.  
Whitehall. **467.** Mr. Popple to Col. Steward and Mr. Royle. H.M. having by her Order in Council (Jan. 26, 1710) directed the Lords Commissioners of Trade and Plantations to report to her what they shall judge most requisite and proper to be done for preventing any irregular proceeding in H.M. Courts of Justice in Barbadoes, they desire you will consider thereof, and consult with Mr. Waters and such other gentlemen as you may think proper, and then let their Lordships have in writing an account of such irregularities in the proceedings of the said Courts as have fallen under your observation, as also that you would propose to their Lordships what you think proper for redressing the same. The paper that was read to you yesterday (? *v.* Oct. 26) being the private thoughts of a particular person, and only read to open the matter to you, and let you see what it was their Lordships enquired about, they do not think convenient to give you copies of it. [*C.O.* 29, 12. *pp.* 315, 316.]
- Nov. 2.  
Hampton Court. **468.** Order of Queen in Council. Repealing laws of Maryland, as recommended Oct. 26, *q.v.* *Signed*, Wm. Blathwayt. *Endorsed*, Recd. Read Nov. 8, 1710. 4½ *pp.* [*C.O.* 5, 717. *No.* 18; and 5, 727. *p.* 197.]
- Nov. 2.  
Whitehall. **469.** Mr. Popple to Sir Robert Raymond, Solicitor General. Encloses Laws past in Maryland 1706, 1707, 1708. The Council of Trade desire your opinion in point of law upon 5 of these, (1) An Act declaring several Acts of Parliament to be in force within this Province; (2) An Act against forging and counterfeiting of foreign coins of gold or silver; (3) An Act confirming and explaining the Charter to the City of Annapolis; (4) An Act directing the manner of electing and summoning delegates and Representatives to serve in succeeding Assemblies; (5) An Act ascertaining fees to the Attorneys and Practitioners of the Law. [*C.O.* 5, 727. *pp.* 199–201.]
- Nov. 2.  
Hampton Court. **470.** Order of Queen in Council. The Lord Dartmouth is to prepare an Instruction empowering the Governor of New York to alter the covenant in grants of land *as proposed* Oct. 26 *q.v.* *Signed*, William Blathwayt. 1¾ *pp.* [*C.O.* 5, 1091. *No.* 25.]

1710.  
Nov. 3.  
Whitehall.

**471.** Council of Trade and Plantations to the Earl of Dartmouth. Having received from the President and Council of Maryland the three (*enclosed*) Addresses, we desire that you will please to receive H.M. pleasure thereupon, that in case it be thought requisite, Additional Instructions may be prepared for Col. Corbett before his departure for Maryland. [*C.O.* 5, 727. *pp.* 194, 195.]

Nov. 3.  
Whitehall.

**472.** Same to Same. *Enclose* draught of Instructions for Col. Corbett, Governor of Maryland, "which are to the same purpose as those that were given to Col. Seymour, or sent to him as Additional Instructions except that we have added one clause, No. 17, relating to the passing of Laws, which affect the property of H.M. subjects residing in Great Britain, which clause we humbly submit to H.M. And there being three vacancies in the said Council by the death of three of the Members thereof, and Philemon Lloyd, Richard Tilghman and John Dorsey Esqs. having been recommended to us as persons of good estates, well affected to H.M. Government and well qualify'd to serve H.M. in that station, we have incerted their names in the list of Counsellors, and humbly offer that H.M. be pleased to constitute and appoint them accordingly." *Mem.* Col. Corbet not going over to Maryland his Commission and Instructions are not entred. [*C.O.* 5, 727. *pp.* 195, 196.]

Nov. 4.  
Whitehall.

**473.** Mr. Popple to William Penn. The Council of Trade and Plantations having under consideration your proposal for a surrender of your Government of Pennsylvania, and taking notice that the expence you have been at, in the settling of that Province, is among other things made a ground of your demand of a sum of mony upon such surrender, wherefore in order to their laying a full and clear state of this matter before H.M., their Lordships judge it necessary to have plain and distinct answers to the several following queries, vizt., (1) What are the profits you have made of that Province, computing the yearly value of quit-rents or other the property remaining in you? (2) How the said profits have arisen, whether by fines, forfeitures, or otherwise? (3) What benefit or advantages will the Crown receive from that Colony by purchasing the Government, more than it now hath, and how the same may arise? (4) What is the annual charge of that Government? (5) What revenue is now subsisting for the support of that Government, the yearly value of such revenue, and for what time granted? (6) Whether you have granted any priviledges and immunities, by Charter or otherwise, to the city of Philadelphia, or other towns or Corporations in the Province of Pennsylvania, other than what are granted by the Charter to the City of Philadelphia, dated Oct. 25, 1701, and by the Charter of Priviledges to the People of Pennsylvania, dated Oct. 28, 1701? So soon as you shall have given in your answer to the above queries (which you are desir'd to do as fully, and as far as may be without reference to any papers formerly deliver'd into this office or any former trans-

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actions thereon), their Lordships will then proceed in the further consideration of this affair, and confer with you as occasion shall require, that the same receive all possible dispatch. [*C.O.* 5, 1292. *pp.* 229–231.]

Nov. 4.  
Maryland.

**474.** President and Council of Maryland to the Council of Trade and Plantations. As wee hold it an indispensable duty and obligation on us in the absence of a Governour in chiefe continually by all occasions to correspond with your Honble. Board, so wee shall allways endeavour to performe and discharge the same as farr as in us lyes, *etc.* *Acknowledge* letter of Jan. 16. In answer whereto wee have used our best endeavours to make the Assembly which met Oct. 24 last sensible [*of the advantage the country reaps from the itinerant Judges*], and perswade them to settle such reasonable allowances as your Lordships may see by the Journalls of the Councill and Assembly now transmitted, but have not been able to prevaile with them, nay they are so farr averse to that method of judicature, that they have absolutely refused to make any satisfaction to the Gent. whome his late Excellency Col. Seymour appointed to that service for the payns they have already taken, having resolved in the House of Delegates in their proceedings of Oct. 26, that the country ought not to be at that charge, and that that Constitution is very ill convenient to the Country, and imposed upon them against their consent, and indeed the Province seems at present a little to young and thin seated for that Constitution, as hath been found upon the experience had for these two years, and the lawyers living most of them at the seate of Governmt. upon the Assembly's refusing to allow them fees for attending the Assizes, being unwilling to make up their issues to the severall Countys, avoid the same as much as in them ly's, and lay all their transitory actions in Ann Arundell County where the Provinciaall Court is held, and often when concern'd in locall actions refuse to go to the Assizes held in the remoter Countys, which wee must needs say has been a great delay and hindrance of justice since this Constitution has been sett on foot, and is generally complain'd of through the whole Province. Wee herewith transmitt the number of men, women, children, servants and slaves within this Province, and cannot but observe to you how great the encrease of negroes is with us, and the miserable and deplorable circumstances of many good planters, to whom their servts. and slaves are become even burthensome by the low price of tobacco's at home. The generallity of the Planters, especially such as have shipped their tobaccos to their correspondents in London, are become greatly indebted to the merchants, and very many of their plantations and stocks are wholly mortgaged and forfeited to them, and others dayly desert their abodes for feare of being imprisoned, and repair to the Southern Colonys, vizt. South or North Carolina or elsewhere, to seeke new settlemts., all manner of cloathing and English goods is and has been excessive deare all this warr, the country merchants advancing 200 p.c. on their comoditys, and refusing to deale for tobacco, when

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at the same time the country produce both of tobacco and stocks of cattle is extream low, tobacco generally not above 4s. per cent., and cows and yearlings rated at 30s. current, which used to be £3 10s. and £4 sterl., by which your good Lordships may well see how much land is likewise fallen, and the present distressed circumstances of this Province, notwithstanding all which oppression is still encreased by the insatiable avarice of many creditors, who are very instant in renewing their debtors' protested bills, refusing to take any other satisfaction than money sterl. which cannot be had here, and threatning them with immediate imprisonmt. in case they renew them not, with their best friends endorsers thereon, so that many others besides the principall debtors are become desperatly involved. Wee doubt not but your Lordships are sencible the charge of this Governmt. is supported and defrayed by an equall assessment in tobacco raysed upon the severall taxable persons of this Province, and that by speciall Acts of the Generall Assembly and not otherwise. For the discharge whereof and for that severall necessary laws were almost expired, wee thought it advisable to convene the Generall Assembly the 24th of Oct. last, who among other of their transactions this Session presented and earnestly insisted upon a law herewith transmitted, *for relieving the inhabitants from some agrievances they lie under*, and as wee knew it was our duty to be very carefull of H.M. Prerogative in not lessning the jurisdiction of the Provinciaall Court, so wee were very unwilling to concur with the House of Delegates pressing instances. But being thoroughly sencible of the deplorable circumstances of very many of H.M. subjects here dayly arrested, and brought from the remotest parts of the Province to the Provinciaall Court, wee were, though very much against our will, prevayled with to agree to the passing of the said Bill for two years continuance, hoping it may be some ease to the inhabitants, and prevent their fears and deserting their settlements, for wee could not but be sencible of the great oppression of the creditors and ill practices of attorneys in suing the drawers of bills and endossers severally to their manifest impoverishment and utter ruine. Wee assure your Lordships that if wee had not thought this law was of the greatest importance for H.M. service in easing the hardships and fears of her subjects here, and preventing their desertion from this her Province, where if it pleases God to send us an happy Peace and the marketts open they may be most serviceable to Her and her Kingdom of Great Britain, wee should not have ever adher'd thereto, for wee are not unapprehensive of the many ill colours and misrepresentations of it that will be handed to your Lordships. But when it is considered that speedy justice is no ways prevented, the creditors having their spedyer remedy in the severall County Courts (tho' it must be confest with a little more payns in solliciting their suits by themselves and agents there), yet at the same time at farr less charge, wee hope the good intent may well appologize for the unwilling essay wee have made on this so pressing occasion, and that your Lordships will accept our demeanour herein as candidly as wee have used it for H.M.

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interest and service, *etc.* *Signed*, Edwd. Lloyd, Wm. Holland, Will. Coursey, Tho. Ennalls, Saml. Young, Tho. Greenfield, Jno. Hall, Cha. Greenberry. *Endorsed*, Reed. 16th July, Read 3rd Aug., 1711. 5 pp. *Enclosed*,

474. i. Census of Maryland, 1710; Masters and taxable men, 11,091. White women, 8294. White children, 15,411. Negros, 7945. *Examined by*, W. Bladen, Cl. Concil. *Endorsed*, Reed. July 16, 1710. 1 p.

474. ii. Minutes of the Committee of Accounts, Oct., 1710. *Endorsed as preceding*. 26 pp. [*C.O.* 5, 717. *Nos.* 43, 43 i., ii.; and (*without enclosures*) 5, 727. pp. 295-302.]

Nov. 9.  
Hampton  
Court.

**475.** Order of Queen in Council. Appointing Philemon Lloyd, Richard Tilghman and John Dorsey Members of Council of Maryland. *Signed*, William Blathwayt. 1 $\frac{3}{4}$  pp. [*C.O.* 5, 721. *No.* 9.]

Nov. 9.  
Whitehall.

**476.** Council of Trade and Plantations to Edward Lloyd, President of the Council of Maryland. *Enclose* Order of Council, Nov. 2, and *repeat* letter of Oct. 26. [*C.O.* 5, 727. pp. 198, 199.]

Nov. 9.  
Whitehall.

**477.** Mr. Popple to Mr. Lowndes. Representation on Mr. Day's petition, Oct. 13 *q.v.* The Council of Trade have considered Mr. Blathwayt's report *etc.* They find that by the proceedings of the Court of Assize, Bermuda, Dec. 1701, the title to the land in question is in the Crown; it contains about half an acre of ground, and did formerly belong to the house appointed for the Governor and called a garden, tho' we cannot learn it was ever cultivated as such; it lyes at some small distance from the house in which the present Governor now lives; the building the said house on that ground is not any inconvenience to the said Governor, and cost Mr. Day, as their Lordships have been informed by the Petitioner, between 5 and £600. Their Lordships observe that by virtue of an Act past in Bermuda in 1693, *for selling the Governor's old house and directing a new house to be built for the entertainment and accommodation of the present and succeeding Governors*, the said old house and land on which it stood (which belonged to the Crown) were sold; but a new house not having yet been built, the Assembly do rent a house for the Governor at the rate of £40 a year, which is not so good or convenient a house as that built by Mr. Day. Wherefore their Lordships, having discoursed with the Petitioner, who has declared his readiness to dispose of the said house for £200 sterl., are of opinion that it would be for H.M. service that the Assembly of Bermuda do purchase that house of the Petitioner for the Governor's use, in lieu of the old one sold by them, and which has not been rebuilt as aforesaid. But in case the Assembly shall not comply herewith, then their Lordships have no objection why H.M. may not graciously be pleased to grant the said ground to the petitioner according to the prayer of his petition. [*C.O.* 38, 6. pp. 492-494.]

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Nov. 9. Whitehall. **478.** Council of Trade and Plantations to Lt. Governor Spotswood. Enclose letter from Mr. Burchett (Oct. 28, *q.v.*) relating to guardships for Virginia, *etc.* [*C.O.* 5, 1363. *pp.* 224, 225; and 5, 1335. *pp.* 76, 77.]
- Nov. 9. New Yorke. **479.** Mr. Bridger to [*? Lord Dartmouth*] the Principal Secretary of State. *Compliments on his appointment etc.* I have with the Governor (*cf.* July 26, Nov. 14) been up Hudson's River at Albany and Schinectada, and have view'd several great tracts of pitch pine proper for the making tar, pitch, *etc.* Those tracts together with some more I have since seen will be capable of producing a sufficient quantity for the Royal Navy, and if fully supported at home enough for all Brittain; and this Government together with those on this Continent will be capable of making Great Brittain the mart or sale of all Europe for Naval Stores, but unless fully supply'd this great and good designe must fall entierly. This land proposed in the Maquas countrey for the settlement of the Palatines is so far up into the country and no pitch pine there renders it incapable of that service; in order therefore to lay this designe on a better and more sure foundation, the Governor has purchased 6000 acres of land on Hudson's River, *etc.* v. Nov. 14. The last spring was advanced so far before the Palatines' arrival, that it was too late to prepare any trees, by wch. a year is lost, *etc.* I am more than £500 out of my own money above my salary for the past 5 years, having no travelling charges, *etc.* Signed, J. Bridger. *Endorsed*, Sent an extract to the Treasury. 2 *pp.* [*C.O.* 5, 1091. No. 26.]
- Nov. 10. New Yorke. **480.** Same to the Council of Trade and Plantations. Duplicate of preceding. Signed, J. Bridger. *Endorsed*, Recd. 2nd, Read 22nd Jan., 17 $\frac{1}{11}$ . 2 *pp.* [*C.O.* 5, 1050. No. 11; and 5, 1122. *pp.* 252-255.]
- Nov. 10. Whitehall. **481.** Council of Trade and Plantations to Lord Dartmouth. An Act having been passed here in the 3rd and 4th years of H.M. Reign for *incouraging the importation of Naval Stores from America*, and there being no provision in it for preserving of white pines, which are the only trees proper for masts, refer to letter *etc.* Dec. 19, 1709 *q.v.* Not being informed whether the same has been laid before H.M., we inclose copies thereof. [*C.O.* 5, 3. Nos. 39, 39 i; and 324, 9. *pp.* 447, 448.]
- Nov. 11. Boston. **482.** Address of the Governor, Council and Assembly of the Massachusetts Bay to the Queen. Our late humble Address of thanks (*v.* Aug. 22) to your Majesty for your Royal resolution to reduce Port Royal and the French settlements in Nova Scotia to your Majesty's obedience *etc.*, has waited till now for a safe conveyance, when by the blessing of Almighty God, in the success of your Majesty's armes, we are favour'd with the happy occasion for accompanying the same with this our further Address, humbly to congratulate your Majesty, as Sovereign Lady and Possessor of that important Fort and Country, not only by conquest,

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but of indubitable right, annex'd to your Majesty's Imperial Crown; and the name of Port Royal, now changed into that of Annapolis Royal, hears pleasantly. The advantages that will arise thereby to the Crown are very considerable, particularly by naval stores, furs and fish, whereof that country and the adjacent fishing banks do produce great quantities; and the ease and tranquility of these your Majesty's Northern Plantations in some measure procured, by cutting off the supplies from the Indian salvages, which they used to depend on the French for. As also the Navigation and Commerce to and from your Majesty's Kingdom of Great Britain, and your Majesty's Plantations in America, will be rendred more safe, being freed from the insults and rapines of the nest of robbers now removed from thence, wherewith this coast was wont to be infested, and when a Colony of your British subjects shall be planted there, which we humbly hope and pray for, and that it may ever be continued under obedience to the Crown of Great Britain, as it was originally established, settled and intended by your Majesty's Royal Predecessors. And have a just consideration in all Treaty's as a country of very great consequence to the British interests. We perswade ourselves your Majesty's General, Col. Nicholson, will humbly represent the ready and chearful obedience of this Government to your Majesty's Royal commands to be assisting in the late important Expedition, and their doing of their duty in all things required of them in that respect; as well as the obedience and good courage of the troops levyed here for that service. And we may not be wanting in our duty humbly to represent to your Majesty the uncommon zeal for your Majesty's service, and the unwearied application and prudent conduct, wherewith your Majesty's said General carried through the sd. expedition with good success to your Majesty's honour. And upon encouragement of the assurance given in your Majesty's name in your Royal Instructions to General Nicholson, of a preference in the benefits of that country, both with regard to the soile and trade, to such of your Majesty's subjects as should contribute to the reduction thereof, we are humbly emboldned to pray, that your Majesty's good subjects of this Province may in all times hereafter have and enjoy the liberty of catching fish and whales in the rivers and bays upon the coast, and of makeing their fish and oyle on the shoar; as also of digging and fetching of sea-cole from that country; without any imposition, toll, custom or duty's to be paid for the same. We are humbly bold further to represent to your sacred Majesty, as absolutely necessary to the repose and tranquility of all your Majesty's Northern Plantations in America, that the country of Canada be reduced to your Majesty's obedience, towards which we shall chearfully do our duty according to our ability, if your Majesty in your princely wisdom shall be pleased to form an Expedition for the same, but are so weakned and enfeebled, both in men and money, that we are utterly unable to afford so great a quota of men or charge, as by your Majesty's Royal commands was required of us towards the late Expedition. And most humbly suggest, if it be your Majesty's

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pleasure to direct an Expedition for that important service, and command the assistance of these your Majesty's Plantations towards the same, your Royal commands therefore may extend to all your Majesty's Governments on the Continent, so far southerly as to include Virginia, for a proportionable assistance, who will receive equal benefit by the reduction of that Country. *Signed*, J. Dudley ; Isaac Addington, Secretary of the Council ; John Clark, Speaker of the Representatives. *1 large p.* [C.O. 5, 10. No. 138.]

Nov. 11.  
Antigua.

**483.** Governor Parke to the Council of Trade and Plantations. I had the honour of a letter from your Lordships by this packet, and I had a letter from Mr. Burchett by order of the Lords of the Admiralty about the men of warr appointed for this station. 'Tis true the Captains sends to me for orders, and I send them such as I think most for the service of the Islands, but they take little notice of them ; there has been three of the Queen's ships lost on this station since I came, who had been now in being if my orders had been followed. When I have it in my power to punish I will be answerable for their behaviour, but to send home a complaint against any one of them is to put my hands in a wasps' nest ; when I arrive I shall lay this before the Queen and Council, especially the behaviour of Capt. Norbury, who is now on this station. I have sent a duplicate of my Answer, if your Lordships will please to read it, I shall take it as a favour, and a greater if then your Lordships will please to order it to be deliver'd to my Agent, Mr. Perry, that he may be able to make my defence, in case the complainants desire a hearing before I can come. Since the Fleet sailed, the mann of warr on this station has been in Harbour on pretence of carreening, and he is just gott out, and now sends me word he must go to Barbados to gett provision ; I don't expect to see him back in two months, so that I have had no opertunity (as yet) to goe to Leeward. I am in hopes some man of warr will call here that I may have an opertunity of coming home for I earnestly desire it, if not I will come in the first good shipp that sailes after Christmas. The whole Government is very healthy, and I have not yet lost one foot of ground to the enemy, nor have they ever plundered any one part, though they have often attempted it, yet last warr they were plunder'd, and this warr before I came, Nevis and St. Christophers were taken ; this and what else relates to these Islands shall be putt in it's true light, if (Please God) I live to wayte on your Lordships att Whitehall. Since the Fleet sail'd, I have detected some of my Article subscribers that had French passes ; I took a sloop laden with goods from Martineque and one of Mr. Chester's sloops taking it on board att sea. This I did with soldiers for the Custom house officers are soe link'd with the inhabitants that they durst not doe their duty, except Mr. Buckeridge the Collector. I called a Sessions, and forgave all that were bound over for insulting me, and indicted three for high treason, upon the Act for holding a correspondence with ye French, the Grand Jury found the Bill, but it signified nothing, for their friends helped them to

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gett away ; I see plainly 'tis morally impossible to punish any inhabitant, lett him committ what crime he will ; whilst I stay, I shall do my duty to the utmost of my power, as I have always done. If some of their laws had been repealed, I should have had a greater authority, and should have been able to have done the Queen more service. *Signed*, Daniel Parke. *Endorsed*, Reed. 10th, Read 19th Feb., 17<sup>10</sup><sub>11</sub>. 2 pp. [C.O. 152, 9. No. 36 ; and 153, 11. pp. 100-103.]

Nov. 11.  
Antigua.

**484.** Governor Parke to the Earl of Dartmouth. I had not the honour to recieve any letter from your Lordshipp by this packett. *Refers to previous letters and affidavitts. Repeats part of preceding.* There is nothing I desire more then to be with your Lordshipp, that I may convince all the honest world how villainously I have been persecuted for supporting the Queen's Prerogative and the principles of the Episcopall Church. I hope I shall find so much favour as not to loose my Government till I am first heard ; nor is it for the Queen's interest or the Ministry's quiet to turne out Governours only to please a parell of clamorous villains who are called here the Calves Head Clubb ; and have vallued themselves upon that account, for they found it did them no disservice with some people, whome I hope never more to see in any authority. For whatever becomes of me, I doe rejoyce to hear the Episcopall Church is like to be trumps. I will be at home time enough to be chose into the house, if the Parliament is not dissolved till after this sessions. P.S. I desire the favour of yr. Ldpp. I may be incerted in the Comm. of the Peace and Lieutenancy for Hampshire, where I have a clear estate of £550 the year. My Lord Cowper I hear by Mr. Woollaston's intrest left me out of the last Comm. If I am the same in Middlesex where I have a small matter t'will be a greater favour. I beg the favour of yr. Ldpp. to give my service to Mr. Benton. I am shure he thinks I am glad to hear he is in a good post, *etc.* *Signed*, Daniel Parke. 2<sup>1</sup>/<sub>4</sub> pp. [C.O. 152, 42. No. 43.]

Nov. 13.  
New York.

**485.** Mr. Bridger to the Council of Trade and Plantations. Prays for a separate Commission for the services commanded Jan. 3, and travelling charges allowed, the expenses thereof being heavy, and to be Surveyor General of H.M. lands and Naval Stores in America, *etc.* I have layd out for the Palatines five towns all on Hudson's River, where I must be in the summer, and at Piscataqua in the winter, for there is nothing to be done in the woods till then by reason of the Indians, *etc.* *Signed*, J. Bridger. *Endorsed*, Reed. 2nd, Read 22nd Jan., 17<sup>10</sup><sub>11</sub>. 2 pp. [C.O. 5, 1050. No. 12 ; and 5, 1122. pp. 256-258.]

Nov. 14.  
New York

**486.** Governor Hunter to Lord Dartmouth. *Refers to letter of Oct. 13 and repeats part of following.* *Signed*, Ro. Hunter. *Endorsed*, Sent an extract to the Treasury, Jan. 5, 1711. 2 pp. [C.O. 5, 1091. No. 29.]

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Nov. 14.  
New York.

**487.** Governor Hunter to the Council of Trade and Plantations. *Refers to former letters Oct. 3, etc.* I was able to give you then but an imperfect account of these Provinces, and am sorry that I can mend the matter but little now ; for tho' the Assembly here hath sate ever since Sept. 1st, except during an adjournment of about 10 days, whilst I was settling the Palatins on Hudson's River, they have gone through but very little buisness necessary for their own preservation or the support of the Government. Untill such time as I can send your Lordps. the Journals of their house intire, I must beg you'll be satisfyd with what I now send with an account of some of their proceedings and some remarks upon the same. I told your Lordps. what I had recommended to them (*v.* Oct. 3). Soon after my Speech, I was informed that they had the Bill of Fees, which had been dissapproved by H.M. mightily at heart, and were preparing another, upon which I sent them a message, that in conformity to one of H.M. Instructions (a copy of which I then laid before them) I was then with the advice and assistance of the Council preparing such a regulation of fees as I made no doubt would be satisfactory to them ; and I accordingly sent them that regulation, with the ordinance annexed, when we had prepared it. Imediatly upon this they prepared a Bill intituled an Act *for the more ease of H.M. subjects*, which past their House but was rejected in Councill, and they are now forming another Bill of fees, which I believe may have the same fate. Answerable to these proceedings, the next thing they do, is to resolve that 2500 ounces of plate should be leyed for the Governour's necessary expences for one year, which is little more then half of the salary appointed by H.M., upon which I sent for their house, and told them that reading their votes of Oct. 25 relating to the support of Government I took occasion to acquaint them with some of my Instructions relating to that matter lest they should make a wrong estimate of the yearly expence of the Governmt., and accordingly read to them the 25th-28th Instructions, deliver'd them a copy of the same, and desir'd they might be enter'd in the Journals of their house. I told them also I could not accuse myself of anything even in my thoughts that might have deserv'd my being distinguisht by them from all former Governours in that manner, yet I should be very unwilling to believe that any of H.M. subjects, but more especially such as lay under so great obligations to her, would call in question her power of appointing such salaries for her Governours as she should think fit, out of the subsidies granted her for the support of her Government. The effect this had upon them was only this, that they went on striking out some articles intirely that had formerly been allowed for these purposes, and retrenching others to less then one half, and tho' some of their Members frequently moved, that what I had then said to them, might be taken into consideration, it was industriously put off, and waved from time to time, and Col. Morris, one of their Members, who in a speech pressed the considering of that matter with some warm expressions which they interpreted to be falsly and scandalously vilifying the honour of their house, was expelled

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the same. The money bills which have passed their house are, (1) An Excise Act to Nov. 1711, (2) a duty on tonnage and slaves for the same time, (3) a duty on chimneys for the same time, (4) a duty on goods sold by auction for the same time. Which severall Acts will not raise a fund sufficient for the support of the Government even according to their own appropriating Articles in an Act for that purpose now passing their house. Observing that there were no steps made towards the payment of the publick debts, I sent on Saturday last for the Assembly and spoke to them, and at the same time gave them H.M. letter relating to the demand of the Lady Lovelace and desired it might be entered also in their journals: what effect it will have upon them I know not, but I have small hopes of a good one, and indeed of anything else that has been recommended to them. Your Lordships will be at a loss to find out the reasons of these proceedings, and their backwardness for their supporting the Government. I will tell you the pretended ones, and then as farr as I am able to guess, the real ones. It is pretended that the Expedition intended against Canada hath sunk them so low, that they are not able to raise the ordinary allowances for the Government; But that is meerly a pretence, for the fund appointed for the defraying the expences of that Expedition was a land tax, whereas the money formerly given for the uses of Government, arose by an impost on goods imported and exported and by an Excise. Another reason given is the misapplication of former Revenues, which hath involved the Country as is alleaged in a considerable debt. If I am rightly informed, Revenue might have been so husbanded that the Government might have been supported by it, as formerly it was. That the Country might be assured that what Revenue they should think fit to give for the purposes mention'd should be duly apply'd, I proposed to several of their Members (judging it not proper to do it to the house) that they might incert in their Bill a clause obliging the Receiver General to be accountable to them as well as to H.M.; and that it might not be in the power of the Governour and Council to load the Country with further debts, by warrants on the Revenue, I proposed to them likewise the framing a clause whereby no warrants signed by the Governour in Council should be a debt on the Country or a demand on the Revenue till it was first accepted by the Receiver Generall. And that no more warrants might be drawn on him then he had money in his hands to answer, he should at the expiration of every quarter lay before the Governour and Council a true state of the Revenue as it then stood, that so warrants might issue for so much, if the service required it, and no more, and be paid in course as they should be numbered; and for this he should give security here to H.M. as he has done in England, which I think would answer all their objections, and take from them all pretences of appointing a Treasurer of their own for the Queen's Revenue. The true reasons as far as I can understand from private discourse with the most considerable amongst them, are the exemptions in a great measure of the neighbouring Governments from such

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expence. But they do not consider that the Government of Massachusetts Bay is at £20,000 yearly charge at least, for the defence of their frontiers, whilst theirs are for the most part defended by H.M. Forces and Purse, for it is apparent that it costs the Queen at least £20,000 a year in maintaining of Forces and ships of warr for the defence of their Country and Trade. Another reason is that by vertue of an Act giving a daily allowance to each Assembly man, it is now become a trade, and brings them in more then most of them can get by their imploymts., and by the popular argument of having saved the Country's money, some have got the Election secured to themselves, who have always been, and ever will be refractory in what relates to the expence of Government. Your Lordps. have a ready remedy in your hands for this evill, if you think fit to apply it. In the 3rd year of K. Wm. and Q. Mary, an Act of Assembly was passed in this Province whereby each Assembly man had 10s. per diem allowed him for that service, which Act continued in force till the 13th of K. Wm., at which time another Act pass't, whereby the first was repealed and allowing only 6s. a day to each representative, which last mentioned Act was likewise repealed among others by an Act of Assembly made in the first year of H.M. reign for repealing several Acts *etc.* In 1700 this last mentioned Act was disallowed by the Queen, so that the second mentioned Act came to be in force again, and still continues so. Now this Act being thus in force and not particularly approved by H.M., your Lordps. if you so think fit, may advise H.M. dissapprobation of it, by which means the first Act for the 10s. a day will be in force, but never having received her approbation may likewise be disallowed, and then there will be no Act in force whereby the Assembly can demand or receive any wages. For now that expence for this Session only amounts to near half as much as they have voted for the support of Government for one year, and then it may be hoped we shall have men of substance, sense and moderation for Representatives who come with a true intent to serve their Country and not themselves. One thing I will be bold to affirm, the warmest Assembly of men in the most tumultuous times never strained the word Priviledge to that bent they daily do. Their particular reasons for retrenching my sallary at this time is an opinion that has very much obtained, that H.M. hath no power to appoint salaries, which most of them venture to say in their house, and some of the most considerable of them out of it, with this weighty argument to back it, that by the same rule she appoints £1200 she may appoint £12000. Now my Lords I have shewn you the evil, the pretended and real causes, I wish it were as much in my power to point at a remedy. But this is better suited to your Lordps.' wisdom to find out. But I assure you that our circumstances here do require an effectual and speedy one unles H.M. will be satisfy'd with a very precarious Government in this place for the future, if any at all. There is one thing I would propose to your Lordps. as a remedy in part. In the infancy of the English Governmt. here lands were granted without any reservation of

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quit rents, at least there appears none in the Records of many Patents, others were granted with a reservation of such quit rents as then were or should thereafter be established by the laws of the Country, others, and indeed all that have [*? been*] granted till after the death of the Lord Lovelace are under a very inconsiderable quit-rent, those granted since are under a reservation of 2s. 6d. each 100 acres. But the quantity is so small and there is so little in H.M. gift that if all were patented the quit-rent would amount to a very inconsiderable sum : so that if your Lordships thought fit to advise the passing of an Act of Parliament at home, that all lands within this Province granted or to be granted should pay to H.M. a quit-rent of 2s. 6d. sterl. for every 100 acres, or such further sums as your Lordps. shall think fit, I believe it would goe a great way in raising a Fund sufficient for the Government here. And if it should be objected that persons holding great tracts of land would upon such an Act resign them, it is evident that nothing could be of greater advantage to this Colony : for then great numbers of persons who remove from hence into the Proprietary Governments for want of lands would by that means find lands at home, for there is nothing that has contributed more to the keeping this Country unpeopled than single men's possessing vast tracts of land of some 20 some 30 miles square, which they keep in their own hands in hopes of planting them with tenants, which is never to be expected in a Country where the property may be had at so easy a rate. And I am affrayed we must come at length to some such contrivance in order to get the pine lands out of their hands, which are of no manner of use to them, but when H.M. has occasion for them, they will then set a value on them. Another remedy which would effectually answer the end is the laying by Act of Parliament an impost on all goods imported and exported into and from this Province. But I believe your Lordps. will in this case think it advisable that this Act should extend to all sorts of strong liquors retailed. If your Lordps. think fit to agree to this, for your information I refer you to an Act establishing a Revenue here in 1692. These are all the remedies which I can think of, unless H.M. will be pleased to defray the charge of this Governmt. from home. As to my own particular, I must beg the favour of your Lordps. to recommend to H.M. that my salary for this year (if no provision be made for me here, as I am apt to think there will not) be paid out of the duty's arising from cocoa imported here by my encouragement in a prize taken by two Jamaica privateers, the Customes whereof will amount to a very considerable sum, and that your Lordps. will be pleased to procure H.M. Order to the Collector of this place for that purpose, or out of any other money in his hands arising by virtue of any Act of Parliament, which tho' formerly applied by the Governors here to the uses of Government in common with the Revenue, yet I find it out of my power, the Collector having orders from the Commrs. of the Customes to remit all such sums to them for the future.

I have now settled the Palatins upon good land on both sides

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of Hudson's River about 100 miles up, adjacent to the pines. I have planted them in 5 villages, 3 on the E. side of the River on 6000 acres which I have purchased of Mr. Livingston about 2 miles from Roloff Jansen's Kill; the other two on the W. side near the Sawyers Creek, as your Lordships will observe by the inclosed sketch *etc.* The lands on the W. side belong to the Queen. Each family hath a sufficient lott of good arable land and ships of 15ft. draught of water can sail up as far as their plantations. They have built themselves comfortable huts, and are employed in clearing the ground. In the Spring I shall set them to work in preparing the trees according to Mr. Bridger's direction, whom I must recommend to your Lordps. for an additional salary, not being able to attend this work upon his own. And now, my Lords, this universally beneficial scheme cannot fail of succes, but by being neglected at home, which I hope there is no reason to apprehend. For I myself have seen pitch pine enough on the River to serve all Europe with tarr, and I hope I have hands according to the modestest computation that has been made of one man's labour for a year to serve H.M. Navy at least with that commodity. Mr. Bridger's letter which comes with this will further inform your Lorps. of this matter. The Accounts which I have sent the Lords Commrs. of H.M. Treasury will shew you how well I have husbanded the small summe intrusted to me for their subsistance; and I hope your Lordps. will think yourselves concerned to take care that what bills I shall draw for their future subsistance be duly comply'd with, lest by their failing the whole design should prove abortive, seing by H.M. commands to put in execution the scheme projected by your Lordps. I am directed to subsist them at 6*d.* per diem for adult persons and 4*d.* for children, out of which fund I have saved in proportion to the time the officers allowances and some part of the emergencies. Considering that by next spring they will have cleared small tracts of ground for gardens and Indian corn, I compute that £15000 a year for two successive years will be sufficient to defray the expence of their subsistance, officers' sallarys, and contingent charges, except the cows, horses and sows mentioned in the account sent to the Lords of the Treasury. For whatsoever besides I may have omitted in relation to the Palatins, I referr your Lordps. to the bearer, Mr. Du Pré, Commissary of the Stores, who has been of great use to me; I beg you will dispatch him speedily back to my assistance, and I hope with a favourable return to the errand he is sent on. Besides the Acts mentioned in the former part of my letter, I have passed and transmitted to your Lordps. these that follow:—(1) *for the better setting the Militia of this Province*; (2) *for returning able and sufficient jurors*; (3) *repealing a clause in an Act against clipping and counterfeiting of foreign coin.* This Act is only intended to prevent slaves stealing of household plate to clip; (4) *for the better settlement and assuring of lands.* The reasons which induced me to pass this Act were, that the Assembly seemed to be very fond of it, and I was willing to leave them without this pretence for their not settling a Revenue, tho'

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I own I passed it with some reluctancy, being there was no saving of the Queen's right in it. But the persons who hope to receive any benefit by this Act being to remain in the peaceable possession of what they now claim till Sept. 1, 1713, without any suit to be prosecuted for the same. H.M. will have so long time to disallow it, without receiving any prejudice by it, if any ineroachments have been made on any of her lands. I send your Lordships also home (5) an Act to *repeal an Act to oblige Robert Livingston to account, etc.* When your Lordships read this Act, which was passed in Col. Ingoldesby's time, I am perswaded you will think it reasonable to offer it to H.M. for her approbation. I have also sent your Lordships the Minuts of Councill from my arrival here to this time. The slow measures of this Assembly has obliged me to adjourn that of the Jerseys to Dec. 1st, which should have met this day. I acquainted your Lordps. in mine by the *Deptford* (v. Oct. 3) with the expedient I found to end their dispute about the place of meeting of that Assembly. If your Lordps. think it for H.M. service that there should be but one Assembly for the two Provinces, Her approbation of the Act past in Col. Ingoldesby's time for that Assembly's meeting constantly at Burlington for the future, would be an inducement to the majority of the Proprietors and inhabitants to address for such an union. *Signed, Ro. Hunter. Endorsed, Reed. 2nd, Read 11th Jan., 17 $\frac{1}{11}$ . 14 pp. Enclosed,*

487. i. Copy of Mr. Lewis Morris' Speech in the Assembly of New York recommending the reconsideration of the Governor's salary. *Endorsed, Reed. Jan. 2, 17 $\frac{1}{11}$ . 3 $\frac{1}{4}$  pp.*

487. ii. Minutes of Assembly of New York, Sept. 1st—Nov. 11, 1710. *Printed.*

487. iii. An Ordinance by the Governor and Council of New York, Oct. 19, 1710, for the regulating of fees. *Endorsed, Reed. Jan., 17 $\frac{1}{11}$ . 26 pp.*

487. iv. Copy of an Act of New York for the more ease of H.M. subjects, etc. *Endorsed as preceding. 1 large p.*

487. v. Copy of Revenue Act, 1692. *Printed. Endorsed, Reed. Jan. 2, 17 $\frac{1}{11}$ . 8 pp. [C.O. 5, 1050. Nos. 7, 7 i.-iv. (without encl. ii.); and (letter and enclosure ii. only) 5, 1091. Nos. 19, 30; and (without enclosures) 5, 1122. pp. 213-236.]*

Nov. 14.  
Boston.

**488.** Mr. Addington to Mr. Popple. Acknowledges letters and encloses public papers by H.M.S. *Norwich*. This governmt. have constituted Jeremiah Dummer jr. resident in London, to be their Agent. We are extremely joyful for the success of H.M. armes in the late Expedition, etc. *Signed, Isaac Addington. Endorsed, Reed. 1st, Read 5th Jan., 17 $\frac{1}{11}$ . Addressed "on Her Majties.' service" etc. 1 $\frac{3}{4}$  pp. [C.O. 5, 865. No. 57; and 5, 913. pp. 313-315.]*

Nov. 14.

**489.** Petition of Ann Pauley to the Queen. Prays for the discharge of Charles Arabella, master of a sloop, a subject of the

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Duke of Florence, and now a prisoner near Chester River in Maryland at Virginia. He was condemned for blasphemy and fined £20, bored three times thro' the tongue, and sentenced to six months' imprisonment. Being unable to pay, he has continued above a year in prison. *etc. Subjoined,*

489. i. H.M. refers preceding to the Council of Trade for their opinion. Whitehall, Nov. 14, 1710. *Signed*, Dartmouth. *Endorsed*, Recd. 24th, Read 27th Nov., 1710. 1 p. [C.O. 5, 717. Nos. 19, 19 i; and 5, 727. pp. 201, 202.]

Nov. 15.  
Newport.  
Colony of  
Rhode Island.

**490.** Depty. Governor Cranston to the Council of Trade and Plantations. I have had the honour to receive your Lordships' letter dated Jan. 16, 170<sup>9</sup>/<sub>10</sub>, the wch. I communicated to the Generall Assembly of this Colony, who most gratefully acknowledged your Lordships' favour for so freely expressing your satisfaction in the answers to the heads your Lordships were pleased to require from them, and return their most humble and hearty thanks for the most noble and kind offer your Lordships have expressed in contributing (what in you lyes) towards the welfare and prosperity of this Government, and have requested me to assure your Lordships, that there will be nothing wanting on their parts (so far as it shall please God to give them understanding and ability) to serve H.M. and to oblige your Lordships to favour them in the continuance of your friendship in contributing to their welfare and prosperity; and that your Lordships (in your great wisdom) should anything hereafter thro' weakness or want of ability in them be represented or contrived to their ill conduct or remissness, will be pleased to put the best instructions thereon, and give them such correction and advice as your Lordships, in your great wisdom, may think proper for H.M. service; which will oblige them at all times to be more circumspect in their duty and redressing what may be deemed amiss. H.M. was graciously pleas'd, the last year, to order an Expedition against Canada, wherein the Colony was at considerable trouble and expence in setting forth transports and 200 men towards said Expedition, wch. lay at the Colony's charge upwards of 6 months, H.M. having occasion to imploy her Brittish forces upon some other service, the sd. Expedition did not proceed: this year H.M. see just cause to send shippes of warr and warrlike stores wth. Brittish troops under the command of the right Honourable Generall Nicholson Esq. for the reduction of Port Royall and the countrey of Nova Scotia and La Accada; towards which service this Colony equipped the like force as they had done the last year (but to better effect), who under the good conduct and command of the aforesd. Generall (in conjunction of the rest of H.M. arms) soon reduced that strong and important fort and Countrey to H.M. royall obedience. Your Lordships will have a more particular account of the reduction of that important place and countrey than I am capable of giving you, having instanced the aforesd. Expedition to your Lordships in discharge of our duties to you, it being what we have, that is

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anyways materiall to communicate at this time, it having pleased God to favour us this last summer so as we have not been disturbed wth. the Enemy's privateers upon our coast, as they were accustomed to do. The Colony's time having been taken up (so much) upon the aforesd. Expedition, they have not gott their Laws perfected for the Press so as to comply with your commands at this time ; but are now forwarding the same with all expedition, and begg your Lordships' pardon for their neglect and remissness therein. I am requested by the Generall Assembly to represent unto your Lordships the discouragement that is given to the traders and coasters of this and our neighbouring Colonys trading to this Colony, by the late Collectors commissioned for this and our sd. neighbouring Colonys, in exacting of fees above the usuall custom of our former Collectors, who faithfully served H.M. without any sallery allowed them, praying that your Lordships will be pleased to take the same into your wise and prudent consideration, and if your Lordships shall judge it proper to procure the inclosed table of fees (which is conformed here by an Act of this Colony) to be allowed and approved of as the stated fees, till it shall be thought expedient to make any alteration thereof : but if said fees be not approved of, then it is humbly pray'd that such emendation may be made, or other reasonable fees stated as your Lordships in your great wisdom shall think meet, so as we may not be imposed upon by such as covet their own private interest and gain more than H.M. interest. In this and the neighbouring Colony, there are sundry ports allow'd of where Navall officers are settled by the severall Governors thereof, some of which Ports are upwards of 100 miles distant from each other : notwithstanding which the late Collectors will not allow of any more than one port (for entring and clearing) in each Government, threatening to seize all vessels and coasters trading from one Colony to the other, that do not make their entry and take their clearing from them at such a particular port where they reside : the which is also deemed as a very great imposition upon H.M. subjects, and to the great discouragement of trade : we having small sloops and open boats constantly trading from one Colony to the other, some for provisions and others for lumber, as staves, boards and timber, *etc.*, and it often happens that the wind and weather is such, that they cannot (without great danger, or to the ruin of their voyage) reach that particular port that the sd. Collectors do impose upon them ; and their freight and profit being very small, the masters of such sloops and boats will be exposed to the expence of the greatest part of their fruit, should they be impos'd upon to travel 100 miles (some more and some less) to enter and clear their vessels. We therefore most humbly pray that the Collectors of the particular Governmts. may be directed to settle their Deputies and Officers at each trading Port allow'd of by the severall Governmts., or that the entries and clearings from the Navall Officers may be approved of : all wch. is most humbly submitted to your Lordships' wise and judicious considerations. May the Almighty bless and preserve your Lordships, *etc.*

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*Signed*, Saml. Cranston. *Endorsed*, Recd. 11th, Read 23rd Jan., 17<sup>10</sup><sub>11</sub>. 2 pp. *Enclosed*,

490. i. Copy of an Act of Rhode Island, Oct. 1710, for stating Collectors' and Naval Officers' fees. *Endorsed as preceding*. 2 pp. [C.O. 5, 1264. Nos. 109, 109 i.; and (without enclosure) 5, 1292. pp. 243-248.]

Nov. 15.  
Boston,  
New England.

**491.** Governor Dudley to the Council of Trade and Plantations. *Refers to papers sent by H.M.S. Reserve* with the mast fleet. This is by Capt. Studley, who brings home the mast fleet with the other ships that are ready, and has the year's papers from both the Governments in like form, which I pray may be acceptable to your Lordships and in both provinces will demonstrate the duty and obedience of H.M. good subjects in their Assembly, in their just and ready provisions for and payment of the forces for the defence of the frontiers and for the foreign Expedition the last year intended for Canada and this year sent to Port Royal. *Acknowledges* letter of Jan. 16, 170<sup>9</sup><sub>10</sub>, received June 21st following, wherein I have your Lordships' directions for the care and government of the trade for these provinces agreeable to the Acts of Parliament. I have always as is my duty laboured in that matter, and have some years past represented to the Commissioners of the Customes the impossibility to govern our extended coasts by one office of Collection, who have thereupon this year divided the coast into four heads, and sent as many Collectors, whom I have sworn and admitted, and they shall want no encouragement in their duty, there wants one thing more to make that prevention perfect, which is a small scout boat such as we have att the Isle of Wight and elsewhere in Great Britayn, to meet all foreign ships on the coast and put a waiter on board to prevent running of contraband goods. The woollen manufactory for the supply of the inhabitants here will prevail every year unless the people be directed and put upon building of shippes for H.M. royal Navy, or that we gett into a further masting and providing of spars and boards, such as are not either for lenght or breadth to be had in the Baltick, or more tarr and resin, hemp and flax of which I have often advised, or some such employment to cloath the people, but any trade or exportation of any such wool or woollen manufactory will be easily prevented by further act of Parliament, when there shall be need. I shall strictly do my duty in the preservation of the mast trees, and shall hope for your Lordships' obtayning an Act of Parliament therein. I humbly thank your Lordships' acceptance of my care and service in the preservation of H.M. subjects from the mischeif of the French and Indians their dependants, everybody here is sensible that we are in a better posture then in any former warr, and I am well rewarded by your Lordships' approbation of my service herein. Mr. Vaughan upon his return has represented to the Assembly of New Hampshire how much they are indebted to your Lordships' care and favour in the dispatch of his attendance and have prayed me to represent the sense they have of their obligations

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to your Lordships, and further to pray your Lordships' influence that they may once see an end of a 30 years quarrel between Mr. Mason, Mr. Allin and themselves. I have agreeable to H.M. commands sent to the board of ordenance the present state of H.M. castles and ports the thrifty expences of the year to June 24th. In the affair of Mr. Allin I am humbly of the opinion that since Mr. Mason and Mr. Allin have expended a great summe att first in planting of the Province tho' very imprudently, and have made their challange these 35 years past, and have never been dismiss by the Government of England, it will be very hard for them to lose all. I am firmly of opinion, that the poor people terntenants and inhabitants have possessed those lands 30 years and more, subdued them at the cost of the true present value, defended them for 60 years past with the loss of their blood and treasure, it will be inconsistant with H.M. grace to her good subjects either to eject them or to put them to a rack rent. To prevent and to put an end to all, if H.M. would be pleased to resume that grant and take the province into H.M. own hands, and give Mr. Allin some compensation agreeable to his pretensions and demonstration of charge thereupon, H.M. would then have it in her imediate power to plant the great wast yet undisposed, and make it much more serviceble to the Crown then at present, and more defensible and secure for the inhabitants, which I shall humbly lay before your Lordships if it shall please H.M. to put it into that way. I have used all methods to enquire and find out the great Landlord mentioned in Mr. Usher's letter to your Lordships, and can find no man that challenges a grant of that summe of acres mentioned in his letter, and have enquired of Mr. Usher himself, who acquainted me that he meant Mr. Waldron (whose case was heard before the Lords Delegates when Mr. Vaughan attended last year) and he slightly alledged that he was told so, upon which I wrote to Mr. Waldron and had his answer assuring mee he made no such chalenge. I have given Mr. Pople a copy of that clause in his letter on that head, if there be anything too harsh in that letter I ask pardon for the Gentleman, who is of H.M. Council and wrote it onely to myself, who in everything for estate and ability for H.M. service is Mr. Usher's superior, excepting H.M. Comission for Lt. Governour, which Mr. Usher has. However, if there be any town grants for lands in the province for any greater tracts of land, they were made 30 years ago, in which I am not concerned, and the Laws givinge the towns that or any other powers are taken away, H.M. since my being here having repealed those laws and utterly restrayned that power. Referring to mony in these provinces your Lordships will please to understand that the first order or direction about money in this Government was the Assembly's affirming their former usage of 17 dw. in anno 1697, which was in that year sent home and approved by his late Majesty. Then followed H.M. proclamation for 17½ dw. in 1702, which was here upon my receipt of it imediatey printed and published. And in 1704 agreed to be declared and published by the Governour, Council and Representatives in Generall Court assembled. And last of

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all, in 1708, the Act of Parliament strictly injoyning the use of 17½ dwt. was here printed and solemnly published. Since which the practise of all our Courts gives judgment for 17½ dwt., and H.M. Treasury can receive nor pay one penny but att that weight, and the judgment and receipts are in no other form or manner whatsoever, all this Mr. Usher well knows unless he be more careless or ignorant then I ought to hope he is. Col. Cranson is att a farther distance, and so is more excusable in his ignorance, tho not at all in his following the Massachusetts in an ill precedent. Yet after all my Lords there is so little silver money in these Provinces, it having been all these seven years past so industriously gather'd up to be sent into Great Britayn that I have not myself received out of the Treasury nor of rents or otherwise tenn pounds att one time these four or five years last past, and our Province chequer notes are of that currency and honour, that wee buy all merchandize goods, ships, houses, estates of land, or whatever els with those bills preferable to money, and the little silver stirring sometimes tho' seldom payes a reckoning att the tavern, or a ferryman, or such trifles, and if anybody will convict his neighbour of paying that at 15 dwt. they are criminall in the law, and will have judgment against them, and Mr. Usher might have made the tryall before he acquainted your Lordships if so he had pleased, if your Lordships please to direct the Government to do anything more for its prevention, I shall obey it carefully, haveing alwayes been of opinion that the lowering of money to 15 dwt. is a mischeif to the Province. Refering to the price of tarr set by the Act of Assembly of Newhamshire, your Lordships will please to understand that the Acts of ye Revenue in Newhamshire are considered as money 17½ dwt., that the current price of tarr att that time was 6d. or 12d. more then it was sett at in the tax, but the people having their market to look, and sometimes transportation to make, and other accidents made the certayn receipt in the Treasury more easy for the people, and if your Lordships see mete to have me continue that law, I shall alwayes keep the price in the treasury below the market price. Your Lordships' next letter is of May 2, 1710, which I received by Col. Nicholsen, 19th July. The first clause whereof refers to the obedience of the provinces to H.M. commands last year, and our hopes of the revival of that service. I am glad the readiness of the provinces was acceptable last year, and we have been as ready this sumer. I have in the present expedition to Portroyal 1000 musquetiers besides officers 20 shippes and vessells for transports with subsistence of all sorts for 3 months from their sayling, with all stores of cannon powder and other stores which Col. Nicholsen thought necessary; which were all ready Aug. 22, as agreed in a Council of warr, though the other Colonies came not till Sept. 8th, and the frigatts from New York on the 10th of the said month. Your Lordships' intentions for an Act of Parliament for the preservation of masts in the Massachusetts Province will be effectuell and take away any pretensions whatsoever. The present Councillours sworn and assisting att the board of Newhamshire are, Peter Coffin, Robert

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Eliot, John Gerrish, Samuel Penhallow, Mark Hunkins, William Vaughan, Richard Waldron, Nathaniel Wyre, John Plaisted ; to which if your Lordships please to have added John Wentworth, George Vaughan, Shadrack Walton, the Council will be full ; as your Lordships have directed, the last I offer are men of estates and reputation and very loyall to H.M. Government. I shall obey your Lordships commands in any further commands refering to negroes. I most humbly thank your Lordships' acceptance of my care refering to H.M. stores sent to Newhamshire. The Engineers for the present expedition to Port royal agreeable to H.M. lycence have drawn 50 barells of powder and the tenn feild peices, and other stores there and elswhere, of which I shall give exact account att the board of Ordinance as I am commanded having taken the Engineers receipts for the same in due form, but the small armes being now the second time born agreeable to H.M. direction, are given to the soldiers for their incouragement. I humbly thank your Lordships for your favourable acceptance of my service and dilligence referring to Naval Stores, in which I have every year earnestly intended H.M. service and the supply of the Kingdom of Great Britayn with those comodities, yet I labour under a very great difficulty, having all this sumer 17000 men in armes, 1000 att portroyall 700 in the Castles and frontiers, among whom are all my loose people that should be employed in those manufactories, besides the danger of the seulking enemy in the woods, all which when it shall please God a peace comes will be ended, and I doubt not from hence H.M. Kingdoms will be perfectly supplied without any foreign dependence, if it be persued with the care that it has been for these 7 years last past, which I shall never fayle (of) while I have the honour to command here. What your Lordships observe refering to the survey of all Naval Stores by persons appointed by the Navy Board is what I expressly told the merchants here when it was offered me, but they were very urgent that it might be written. The refusal of it was what they expected and will be no hindrance in the service. I continue in behalf of the Massachusets province to pray they may be heard refering to any complaints made by Connecticut or Road Iland, who are both concerned in the province dividing lynes, which were runn and stated many years before the letters pattents for those Governments were granted by the Crown of England. I shall do what lyes in my power for the supply of men to H.M. ships without running directly contrary to the Act of Parliament and humbly thank your Lordships' acceptance of my service therein. On the 21st of June last past I received H.M. warrant Oct 29, 1709, covering the new seals for the provinces of Newhamshire and the Massachusets, in which I was commanded in the presence of the Council to break the old seals and put the new into the service of all publick instruments, which accordingly I have done in both the Provinces, and the letters are upon record in the Council books, and the originalls upon fyle in the offices and the old broken seals are in your Lordships packett (with this), *etc.* I have also under cover from my Lord Suderland H.M. Instruction of May

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2, 1710, refering to an illegal trade caryed on with H.M. enemys by flaggs of truce, etc. which I received Oct. 25th. I am very confident nothing of that nature has been practised here. I have sent but twice to Portroyal and once to Queebeck this whole warr for 8 years past in very small and mean sloops to transport prisoners who have alwayes been commanded strictly to carry nothing but their own subsistence, and have alwayes been as strictly searched and examined by the officers, and alwayes reputed to have nothing on board but what was necessary to preserve them in their voyage out and home, and I am now out of any further use of flaggs of truce for the future by the reduction of Portroyal. I have lastly humbly to acquaint your Lordships with the success of H.M. arms under the command of Colonel Nicholson who after a week's service on the shoar had the Fort of Portroyal and the country renderd to him on the second of October last past, and has left Colonel Vetch Governour of the Fort with 400 men in Garrison with stores and provisions and Colonel Nicholson is retur[n]ing home for Great Britayn and all H.M. Goverments are still humble and earnest petitioners that H.M. will once more send a number of shippes and forces to Queebeck and Mountreal early next year, which will put H.M. into the possession of all the North America with the invaluable treasure of all the fishery, masts, lumber, and naval stores whatsoever. I most humbly refer myself and service to your Lordships' patronage, and pray your Lordships' favourable representation to H.M. *Signed, J. Dudley. Endorsed, Recd. 1st, Read 5th Jan., 17<sup>10</sup><sub>11</sub>. 6½ pp. Enclosed,*

491. i.-vi. Lists of causes in the Inferior Courts of Bristol and Barnstaple in New England. *The whole endorsed, Recd. 1st Jan., 17<sup>10</sup><sub>11</sub>. 9 pp.*

491. vii. Proclamation by Governor Dudley for a General Fast on Sept. 28. H.M. Forces being now imbarquing on the design'd expedition for the reducing of Port Royall, etc., an affair of the last consequence to these H.M. Plantations. *Signed, J. Dudley, Boston, Sept. 12, 1710. Printed by E. Green, Boston. 1 p.*

491. viii. Proclamation by Governor Dudley against harbouring deserters from H.M.S. *Dragon, Chester* and *Falmouth*, appointed to attend the Expedition. *Signed, J. Dudley, Boston, Aug. 15, 1710. Printed. 1 p.*

491. ix. Proclamation by Governor Dudley. Calling upon those who bore arms last year, to enlist for the present expedition. All voluntiers shall have a coat of 30s. value given them, and one months wages paid before their imbarquing; they shall bear the Queen's armes, and enjoy them as their own for ever, and be exempted from all impresses for 3 years, etc. *Signed, J. Dudley. Boston, July 29, 1710. Printed. 1 p.*

491. x. Duplicate of No. viii.

491. xi. Duplicate of No. ix.

491. xii. Proclamation by Governor Dudley, for a General Thanksgiving throughout the Massachusetts Bay and

1710.

- New Hampshire, Nov. 16, for the general health, a very plentiful harvest, after awful threatenings of pinching scarcity by an early scorching drought, and the success of General Nicholson's expedition. *Signed*, J. Dudley. Boston, Oct. 28, 1710. *Printed*. 1 p.
491. xiii. Journal of Col. Nicholson's Expedition against Port Royal. Printed in the Boston News-Letter, No. 342. Boston, Nov. 6, 1710. *Endorsed*, Recd. 1st, Read 5th Jan., 17<sup>10</sup><sub>11</sub>. 12 pp. double columns.
491. xiv. Address of the Governor, Council and Representatives of New Hampshire to the Queen. Portsmouth in N. Hampshire in N. England, Oct. 23, 1710. Your most sacred Majesty's most dutifull and loyal subjects are deeply sensible of your Majesty's princely regard and favour in the support and defence of this Province by the late supply of cannon and other warlike stores sent hither, as well as in your Majesty's most gracious care for us in sending such a force of ships and marine forces, who in conjunction with the forces drawn out of these Provinces, have by the good Providence of Almighty God put your Majesty into possession of that important Fort of Port Royal, the head of Nova Scotia and L'Acadie, who have been these seaven years the great pest and trouble of all the Navigation and Trade of your Majesty's provinces on the coast of America. Your Majesty's most dutifull and loyal subjects do from this success and benefit take encouragement most humbly to address your Majesty, that such a number of your Majesty's ships of war and forces may be sent early the next spring to visit Quebec and Mount Real, with such additional forces from all your Majesty's Govmts. on the shore of America as may by the favour of Almighty God reduce those places to your Majesty's obedience, and thereby make the whole North America an addition to your Majesty's Imperial Crown and dignity, from whence by the industry of your Majesty's liege people at present inhabitants, with such others as may be planted here, all sorts of Naval Stores may with industry and without any hazard or interruption be transported home, sufficient not only for your Majesty's service in the Kingdoms of Great Britain and Ireland, but for all Europe, to the great increase of Trade and Navigation, the improvement of ships and breed of sailors. Your Majesty's most loyal and obedient subjects most humbly beseech Almighty God for your Majesty's health, long life, and the addition of further glorious victories over the great oppressor of the liberties of Europe. *Signed*, J. Dudley, Ch. Story, Sec. Council; Richd. Gerrish, Speaker of the Representatives. *Endorsed*, Recd. Jan. 1st, 1710. *Copy*. 2½ pp. [C.O. 5, 865. Nos. 55, 55 i.-xiv.; and (without enclosures) 5, 913. pp. 279-306; and 218, 1. pp. 4-6.]

1710.

Nov. 15.  
Boston,  
New England.

**492.** Governor Dudley to Mr. Popple. *Acknowledges* letters of May 2, 1710. *Continues* : I would be very glad the heats and inconveniences between Mr. Collins and Mr. Bridger were ended, but that must be by Mr. Collins fetching home the masts long since cut which lye in hazard alwayes as well as wasting by time, which Mr. Micoe, Mr. Collins' Agent, assures me shall speedily be done. I shall obey their Lordships in that matter as I have alwayes done, and Mr. Bridger is sensible he wants no warrants, nor power, nor assistance, nor guards of soldiers in his service ; he is att present at New York takeing care of the palatines, *etc.* I have given account of Mr. Usher's letters as well as I can to their Lordships att the board. That Gentleman has been very unfortunate in putting himself into Mr. Allin's affayre, the delay of which has made him poor and angry, and perticularly with Mr. Waldron, whose estate was acquitted out of that challenge by the Lords delegates when Captain Vaughan attended, and that has made him more angry with him, inclosed is the clause of Mr. Waldron's letter too harsh to be shewed directly to their Lordships, but the matter of fact is true, that Waldron has no such lands nor any other man in the province of the seventh part of that value by town grants. I have now propounded Counsellors (*v. preceding*). I do not remember ever to have written Mr. Packer, because he keeps a tavern, and it would be very odd to have him att the board of H.M. Council while he is in that employment. I have sett the matter of the money in a true light to their Lordships, however people in corners no doubt keep the usage of 15 dw<sup>t</sup>., but it is true there is no money att all, and I challenge the gentleman that complains to shew me tenn peices of  $\frac{x}{x}$  that he has received in a twelvemonth in silver, tho he has need enough of it. I am not used to angry clauses in letters, and shall not endeavour to hurt that gentleman, because he will do it himself fast enough. P.S. I am glad Mr. Drift has his money, pray give him my service. *Signed*, J. Dudley. *Endorsed as preceding*. 1½ pp. *Enclosed*,

492. i. Extract of a letter from Richard Waldron to Governor Dudley. June 30, 1710. As to the gentleman that holds 18000 acres of land in this province, I can find none. I valued myself as one of the greatest landed men in the province, but if he that writes this story will make good to mee but 1000, he shall have all the lands that myselfe, or my Father before mee had in this province by town grants. Indeed my father purchased some addition to his lands, and I have done the like, but all falls much short of a quarter part of 18000 acres. I hope your Excellency will give a true account of this matter, that the author of that story may be discovered to be an envious malicious lyar as all the inhabitants of this province are ready to prove him to be. *Signed*, Richard Waldron. 1 p. [*C.O.* 5, 865. *Nos.* 56, 56 i. ; and 5, 913. pp. 309-312.]

1710.

Nov. 16. **493.** Mr. Popple to Sir C. Hedges. The Council of Trade and Whitehall. Plantations desire to know whether the allegations of James Briggs (*v.* June 13, 1710) are true, *etc.* [*C.O.* 38, 6. *p.* 506.]

Nov. 16. **494.** Petition of Clerks *etc.* of the Board to the Council of Trade and Plantations. There was 6 months salary due to petitioners at Michaelmas. There is an order from the Treasury directing the payment of 3 months salary to Midsummer in tallies upon tin. Petitioners, who have no perquisites as in other offices, will be considerable losers thereby. *Pray their Lordships to interpose, etc.* Endorsed. Recd. Read 16 Nov., 1710. 1 *p.* [*C.O.* 388, 76. *No.* 105.]

Nov. 17. **495.** Mr. Popple to Mr. Lowndes. The Council of Trade desire you to move to Lords of the Treasury for the relief of petitioners *as preceding*, and that the doorkeeper of this office be paid in money for the wood and coal supplied to this office, not in tallies on tin by wch. he would be a great loser, *etc.* [*C.O.* 389, 36. *pp.* 465-467.]

Nov. 17. **496.** Council of Trade and Plantations to the Lords' Commissioners of the Treasury. *Enclose following,*  
 496. i. Salaries and Expenses of the Board of Trade Midsummer to Michaelmas, 1710. *v.* B. of T. Journal. 5 *pp.* [*C.O.* 388, 76. *Nos.* 106-108; *and (covering letter only)* 389, 36. *pp.* 469, 470.]

Nov. 18. **497.** Mr. Popple to Col. Nicholson and Col. Vetch. Having Whitehall. communicated the favour of yours to me of Sept. 16, to the Lords Commissioners of Trade and Plantations, touching your embarkation for the Expedition, *etc.*, their Lordships have commanded me to acquaint you that they wish you all imaginable success *etc.*, and that they shall be glad to receive as early an account of that affair from you as possible; and you may assure yourselves that I joyn very heartily with their Lordships in their good wishes *etc.* As to Court news, I have only to tell you, that the Lord Treasurer has been removed, and that the Lord Pawlet, Mr. Harley, Mr. Paget, Sir Thomas Mansell, and Mr. Benson are appointed Commissioners of H.M. Treasury. The Lord Dartmouth is Secretary of State in the place of the Earl of Sunderland, Mr. St. John in Mr. Boyle's place, the Duke of Shrewsbury in the Duke of Kents, Lord Rochester in the Lord Sommer's, Duke of Buckingham in the Duke of Devonshire's, there are several other changes, but I have not time to enumerate them at present. P.S. Sir Simon Harcourt succeeds my Lord Cooper as Keeper of the Great Seal, Duke of Ormond is Lord Lieutenant of Ireland, and a new Parliament is chosen. [*C.O.* 5, 865. *pp.* 268, 269; *and* 218, 1. *pp.* 2, 3.]

Nov. 20. **498.** Governor Dudley to [*? Mr. Secretary Boyle*]. *Recom-*  
 Boston, mends Col. William Taylour, a son of this Country, who has  
 New England. served H.M. in the reduction of Port Royal, *etc.* Signed, J. Dudley. [*C.O.* 5, 898. *No.* 4.]

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Nov. 20. **499.** H.M. Warrant to Governor Hunter as to granting lands  
St. James's. in New York, pursuant to Representation of Oct. 26 *q.v.*  
*Countersigned*, Dartmouth. *Endorsed*, Recd. 24th, Read 27th  
Nov., 1710. 2 $\frac{3}{4}$  pp. [*C.O.* 5, 1050. *No.* 1; and 5, 1122. pp.  
200-202.]
- Nov. 20. **500.** Mr. Blathwayt to [? Mr. Popple]. As I am in waiting  
Whitehall. at the Council I have recd. from you a duplicate of a Repre-  
sentation of the Council of Trade Feb. 23 last past, with papers  
relating to Newfoundland, wherewith having immediately  
acquainted my Lord President, His Lordp. who has had so late  
notice of those matters has express'd his desires that upon a  
review of all those papers by the Lords Commrs. I might be  
enabled to let him know whether there may be anything to be  
added unto them or any alteration fit to be propos'd to H.M. at  
so great a distance of time. *Signed*, Wm. Blathwayt. *Endorsed*,  
Recd. Read Nov. 21, 1710. 1 p. [*C.O.* 194, 4. *No.* 140; and  
195, 5. pp. 149, 150.]
- Nov. 21. **501.** Mr. Popple to Mr. Blathwayt. *Reply to preceding.*  
Whitehall. Since their Representation, the Council of Trade have not  
received any further accounts of Newfoundland, and have nothing  
further to add to it. [*C.O.* 194, 4. *No.* 141; and 195, 5. p.  
151.]
- Nov. 21. **502.** H.M. Warrant to Governor Hunter, as to patenting  
St. James's. lands, as proposed by the Council of Trade, Oct. 26, *q.v.* *Counter-*  
*signed*, Dartmouth. [*C.O.* 324, 32. pp. 47-49.]
- Nov. 21. **503.** Governor Saltonstall to [? *The Earl of Sunderland*].  
New London. The 19th instant I recd. yr. Lordship's letter of Aug. 31st, per  
ye *Royall Anne* packet boat, which arriv'd at New York ye  
15th of this month, and designs to return from thence Dec.  
1st next, before which time I shall not be able to communicate  
H.M. royall purpose of reducing Canada and ye French settle-  
ments in North America to the Assembly, but shall do it with the  
first and speediest opportunity: And may assure yr. Lordship,  
that H.M. Royall favour, and tender care, for the good and  
prosperity of this and the neighbouring Colonies (so fully expressed  
in yr. Lordship's letter) will be recd. here with ye deepest  
impressions of gratitude. *Encloses duplicate of Address* (*v.*  
*Aug.* 7). And could I now recover time enough to convene the  
Assembly, I should (by this opportunity of the packet boat's  
return) send yr. Lordship their Address of thanks and congratu-  
lation to H.M. upon the happy success of her arms in the  
reduction of Port Royal, by the good conduct and indefatigable  
diligence of Col. Nicholson. I shall not here give your Lordship  
an account of that Expedition, which will be done by Col.  
Nicholson himself (and probably before this can arrive) he being  
now at Piscataqua in New Hampshire, intending for Great  
Brittain in H.M.S. ye *Norwich*, if not at sea before this time.  
But having had the advantage of perusing some heads of an

1710.

Address to H.M. intended by the Assembly of ye Massathuset Bay (*v.* Nov. 11) on this occasion, (they being conven'd when Col. Nicholson return'd from Nova Scotia) wherein they pray H.M. favour with relation to liberty of fishing and trading in yt. country; and also that H.M., if shee shall see good to order the reduction of Canada ye next summer, would be gratusly pleased to include her Governments on this Continent as far as Virginia in yt. service; that they may all come in to ye common charge, who are like to partake in the common benefit. I am bold thereupon (since I can have no opportunity with the Assembly here) to intreat yr. Lordship that H.M. subjects in this Colony, who have according to ye utmost extent of our ability, in obedience to H.M. commands, been joyntly concerned wth. them in the late expedition agt. Port Royall, may be humbly represented to H.M. as craving the like instances of Her Royall favour. I shall leave it to Col. Nicholson to inform yr. Lordship what our behaviour has been upon H.M. orders to us relating to that expedition: and shall only farther suggest to yr. Lordship, that this Colony, being without the advantages of such a trade as H.M. other Governments concern'd in yt. Expedition with us (*viz.* Massathusets, New Hampshire and Rhode Island) have, and living in a manner wholly upon husbandry, has been obliged to extraordinary charge in procuring things necessary, (wh. were not to be had among ourselves) for the furnishing out our quota of men, both in this late expedition and that of the foregoing summer agt. Canada. Which has made the burthen of the charge to lie heavier on this Colony than on ye rest. Who also by sickness yt. happen'd among the troops towards the end of that expedition design'd agt. Canada, lost between 80 and 90 men, which was more than all the other Provinces concern'd with us in it. This has oblig'd us to struggle wth. very great difficulties in our obedience to H.M. commands, as to our part in the Expedition agt. Nova Scotia; but we were fully resolv'd to shew all possible readiness in our obedience to them; tho' it would involve us in a debt which we were not like to quit ourselves of in less than 6 or 7 years; as it has done. All which I mention, that yr. Lordship may see what reason I have to suggest our utter inability to furnish such a quota of men *etc.* as we did in the forementioned expeditions; and that H.M. Governments of New York and Pensylvania, Maryland and Virginia, may be brought into the Expedition agt. Canada, if H.M. should order it to be undertaken, especially considering that they are so scituated as to have a more immediate benefit from the good of yt. expedition than this Colony. *Signed,* G. Saltonstall. *Endorsed,* Reed. Jan. 9. 2 *pp.* [*C.O.* 5, 10. No. 227.]

[Nov. 21.] **504.** Address of the Governor and Company of Rhode Island and Providence Plantations to the Queen. (Referred to in preceding). *Congratulate* H.M. on the reduction of "the important Fort of Port Royall (now Annapolis Royall) with the vast territories of L'Accada and Nova Scotia, towards which,

1710.

in obedience to your Majesties royall commands, this your Majesties Government have contributed in setting forth the full quota of 200 men with transports *etc.*, notwithstanding we deemed the said number of men to exceed our proportion with the other Governments concerned in said Expedition, which is humbly submitted to your Majesties wisdom, we having requested the honble. Generall Nicholson to give your Majestie the best light he can in that affair (as well as in all other respects relating the conduct of this Government) in whose honour and fidelity we put our whole trust and confidence, and whatever may be by him consented and by your Majtie. determined thereon, we shall and will as dutifull and loyall subjects submit unto. Your Majtie. hath been graciously pleased by your royall Instruction to Generall Nicholson to give a right both to the soil and trade of said countrey of Nova Scotia *etc.* when reduced, to the Government concerned in the reduction thereof. We your Majties. obedient subjects do in all submissive and humble manner return your Majtie. our hearty thanks for your princely bounty and tender regard continued for the welfare and prosperity of your subjects in these parts, as well as throughout all your emperiall dominion; and in more particular manner for the aforesaid bountifull offer. We have concerted that matter with your Majtie's. other Govmts. concerned in the reduction of sd. countrey, and humbly conceive that it will be of great importance for the Brittish interest, tranquillity and security of these Northern Plantations, that a Colony of Brittish subjects be by your Majtie. planted in that countrey, and that in all times forever hereafter it may be continued under obedience to the Crown of Great Brittain, and have a just consideration in all Treaties, as a place of great importance for the Brittish interest. The advantages that will hereby accrue to the Crown we apprehend will be very considerable with respect to Naval Stores, peltry and fishery: the countrey being also very fertil, of a good soil which produceth all sorts of grain, with rich meadow and pasture land, if well improved, will in a little time be capable of entertaining and subsisting many thousands of your Majties. Brittish families; the wch. will be a great addition to your Majtie's. Empire in America, as well as the tranquillity and security of these your Majtie's. Northern Plantations, and will in time (with the blessing of God) put us out of doubt of any forraign force or power. All which is most humbly submitted to your Majtie's. great wisdom, most humbly praying that your Majtie. will notwithstanding continue your royall bounty to your good subjects of this Colony in granting them at all times the free liberty of trade, and in particular that of fishing and whaling on that coast, and making the fish and oyle on the land; as also of fetching off sea-cole from that countrey without any imposition, toll, custom or duty to be paid for the same, *etc. etc.* Signed, Samll. Cranston, Govr. 2½ pp. [C.O. 5, 10. No. 229.]

[Nov. 21.] **505.** Address of same to same. Return thanks to H.M. for sending the expedition under General Nicholson, who accom-

1710.

plished the conquest of Nova Scotia and L'Accada on Oct. 2nd to the intire satisfaction and content of all your Majtie's. good subjects here, and we most humbly presume that your Majtie. will be most graciously pleased to resent his good service accordingly. If your Majtie. do see cause to order the setting forward any other expedition for the reducing of any other or more of the French settlements in these Northern parts, (wherein our assistance may be required) we most humbly pray that your Majtie. will be pleased to conferr the like trust and sole command upon the aforesaid Generall, etc., his valour, prudence and good conduct being most agreeable and acceptable to the constitution of your Majtie's. subjects. *Pray for H.M. long reign and the success of her arms, etc. Signed, Saml. Cranston, Govr.* 1<sup>3</sup>/<sub>4</sub> pp. [C.O. 5, 10. No. 230.]

Nov. 22.  
A Londres.

**506.** M. de Monseur to [? Lord Dartmouth]. In 1706, introduced by M. le Marquis de Guiscard, I made a proposal to the then Ministry for the surprise of Placentia by a new, certain and easy way. As I was there in 1694 and 1696, when the English Fleets attacked the place, and M. le Marquis de Brouillan, the Governor, entrusted the disposition of the defence almost entirely to me, it is evident that I know better than anyone its strength and weakness. My project was approved in 1706 by the Council and the Admiralty, and since then, year by year, forces have been prepared to put it into execution. I have been ordered two years in succession to go to Portsmouth, and have embarked there, but each time affairs taking an unforeseen turn, the said forces were sent elsewhere. H.M. granted me a pension. I re-submit my proposals. The matter is one which requires preparation a long time in advance. The expedition must be ready to sail towards the end of April, etc. *Signed, De Monseur. French.* 4 pp. *Enclosed,*

506. i. Testimonial in favour of Michel de Monseur. *Signed, Sunderland. Whitehall, 16th April, 1708. Copy.* ½ p. [C.O. 194, 22. Nos. 3, 3 i.]

Nov. 22.  
Admiralty  
Office.

**507.** Mr. Burchett to the Lord Dartmouth's Secretaries. In answer to the Lord Dartmouth's letter of the 20th inst. to my Lords of the Admiralty, which brought inclos'd a copy of an Order from H.M. Council relating to the sending an Engineer from Jamaica to the Bahama Islands, I inclose copy of an Order to the Commander in Chief of H.M. ships at Jamaica, for sending one of them on this service. A duplicate of the order will be sent to Jamaica by the next packet-boat. *Signed, J. Burchett. Endorsed, Recd. Read Nov. 23, 1710.* 1 p. *Enclosed,*

507. i. Lords Commissioners of the Admiralty to James Littleton, Commander in Chief of H.M. ships at Jamaica, Nov. 7, 1710. You are to appoint a ship to transport the Engineer at Jamaica to New Providence, to take a survey of the Bahamas, etc. *Signed, J. Leake, G. Bing, P. Methuen, W. Drake. Copy.* 1 p. [C.O. 5, 1264. Nos. 103, 103 i.; and 5, 1292. pp. 231-233.]

1710.  
Nov. 22.

**508.** Lt. Governor Usher to the Council of Trade and Plantations. *Refers to previous letters.* Since we have onely to ad God by his Providence given Honble. Francis Nicholson Esq. Genll. of H.M. Forces signall victory in takeing port Roiall, whose courage and conductt attended with generosity and Christian-like speritt filled the country wth. acclimations of joy : and praises to God, and him thancke (ytt. after two attempts, wth. greatt expence and charge returned wth. greatt shame, being onely attended wth. avaricious speritt in plundering the poore to there greatt discreditt, and notwithstanding hindrances and difficultys retarding proceedings) port Roiall now Anapolis Roiall, spedily reduced. Itt's humbly wished, soe glorious a worke began by Her gracious Majesty, would still stretch forth her hand of sovereignty for totall extirpation of French from American partts : would be gem in Crown and benefitt to nation, for increas of seamen and suply Navall Stoures. H.M. being in poscesstion of port Roiall now Anapolis Roiall, if perchase Mr. Allen's claime, would have all the soile from Salem to Bay a funde, and by H.E. Speach finde Mr. Allen surrendering to the Crown, wish may be accomplished. *Prays for consideration of his services etc.* I haveing bin subject of many affronts by Councill, in perticuler by Vaughan, Walderen, Penhollow and Plaisted, onely oposers of Queen's interestt, in perticuler, Assembly voateing dutys on lumber exsported, would amountt to £500 per annum, they vigorously oposed and obstructed persons againstt H.M. interestt as to mastts and timber for Navall Stoares : pray may be removed. Walderen always affronting, takeing on him power Governmtt. and Hannan-like, all must bow, his cariage unbecoming, Governmtt. uneasy, he being of Councill, in Councill demanded how he did come to sitt in Councill, replied by order of Queen in Councill : said order read, finde Secretary Hedges directed to prepare a warrantt, and for roiall signett, enquired if had roiall signett : Secretary replied had nott sen any. I then did tell him, suspended him from setting in Councill, as per minuitt reasons I inclose. As for indignitys putt upon me, Capt. Studley can acquaint your Lordships, *etc.* I crave H.M. would send a company of souldiours for the fourtt wth. small armes, would tend much for security and suport honour Governmtt : butt noe armes withoutt souldiours, because of imbezelmmtt. Pray H.M. would give me £200 for building a bridge from the Island to Mainland, I will engage to accomplish the Bridge (as H.M. bin att expence for the fourtt) of absoelute necessity in case fourtt attacked succor from mainland may be had. Col. Romer and Col. Rednap can informe. Treasurour and Secretary haveing noe comistions, pray may be comistioned from Crown, and accountable for trust reposed in them, and all officers comistioned from Crown to be of Councill. As for Penhollow persuantt to Instructions, kepes noe faire bookes accotts. ; a person agtt. Kingly Governmtt. : a greatt sticker and oposer as to anything for H.M. interestt, as to mastts and timber for Navy, judge him neither fitt for Councillour nor Treasurour ; butt all persons here have and kepe places by giving mony for them. I herewth. send accountt of mony issued outt of Treasury weh. is nott for

1710.

uses and suportt of Governmtt. contrary to Instructions, pray persons be apointed to examine same. In receivving Genll. Fr. Nicholson Councill's charges borne by Governmtt. I signified my expences considerable and ytt. same might be allowed: answered province poore; noe mony in Treasury. soe nothing granted. Mr. George Jeffrey, loiall person, good estate, pray may have a comistion for Treasurour's place with Instructions. My Lds., winter coming on litle or noe business att sea. Mr. Armstrong goes by this conveiance, whoe has made itt his business to inspectt into all affaires in these partts, recomend him to your Ldships. to give accott. as to Governmtt. and soile, and in perticuler of great waste and destruction of trees and timber fitt for H.M. Navy. I aprehend if H.M. has souldiours att fourtt they may be a guard for surveying H.M. woods; a guard for getitngs masts, *etc.* P.S. Persons names to be of Council; Jno. Hinck, Sampson Sheaf and Theoder Adkinson, Newcastle; Richd. Garish, George Jeffrey, Col. Tho. Packer, Capt. Tho. Phips, Jno. Wentworth of Portsmouth; Major Jos. Smith, Peter Waer, Hampton; Richd. Hilton of Exiter. *Signed*, Jno. Usher. *Endorsed*, Recd. 28th Feb., Read March 2, 17<sup>11</sup>. *Holograph*. 1 $\frac{1}{2}$  pp.

508. i. Copy of Address of Assembly of New Hampshire to Governor Dudley, Oct. 23, 1710. We have voted £2,500 for the payment of debts *etc.* We are informed that H.M. Councill made some exceptions unto part of our vote last session as thinking they were reflecting upon H.E. Wee intended noe such thing, but acknowledge your Excellencys care over us, *etc.* We think the law for the excise is good, it only wants to be put in due execution, but considering there might be considerable come into the Treasury by a duty on lumber exported, *Voted*, that all the lumber that shall be exported to any of the mainland of America, Long Island, Rhoad Island, *etc.*, shall pay 2s. per tun, *etc.* *Copy. Same endorsement.* 1 $\frac{3}{4}$  pp.

508. ii. Mr. Usher's account of mismanagements in the Treasury of New Hampshire, and his reasons for suspending Mr. Waldron. *Signed*, John Usher. *Same endorsement.* 3 pp.

508. iii. Copy of Governor Dudley's letter to Mr. Story, Secretary of New Hampshire, upon H.M. Order appointing Mr. Waldron to be of ye Council, and Minute of Council Nov. 21, 1710, as to Mr. Usher's suspending him. *Same endorsement.* 3 pp.

508. iv. An account of money issued out of the Treasury of New Hampshire, 1697-1701, of which there are no accounts on file of particulars. *Total*, £2425 9s. 8d. *Signed*, John Usher. *Same endorsement.* 1 p. [*C.O.* 5, 865. *Nos.* 62, 62 i-iv.]

Nov. 25.  
Boston.

**509.** Governor Dudley to Mr. Popple. About 20 dayes since I was in New Hampshire to hold the General Assembly, and upon adjustment of their debts I found them upwards

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of £2000 in debt, in discharge of which they offered in the House of Representatives to rayse £2500 in Province bills upon a good fund provided the Council would agree thereto, and also agree to rayse a duty upon boards transported into the Massachusets Colony, which the Council would by no means agree to, and I was forced conclude the session with a tax of £1200 only for the present supply of the Treasury, and prorouged the Assembly to March next, since which Lt. Governour Usher who lives in this province, has taken his progress thither, and inclosed is an account of his proceedings, which the Councillours present have signed. I do not suppose it is H.M. intention by the Commission to her Lt. Governour, that he shall proceed to such extraordinary Articles when I am within a four and twenty houres advice. To suspend any of H.M. Councillours without a due process according to the Instructions for that Government. Nor that he should take the books of the Council from the Secetarye's keeping so as nobody can be charged with any alterations or rasures which have been heretofore greivously complayned of in that province. Nor do I suppose the Gentlemen of the Council do unreasonably complain of the expense of their powder, which I am commanded to see thriftily expended. I am sure they say right, it is more by five times then was ever directed by me during the eight years of my being in this Government, upon any such occasion. I have at no time hitherto fayled of obtayning the just payment of the debts of these provinces, and well eno' knew when I left the Assembly upon that prorogation that the representatives would soon be uneasy with their soldiers for their money which is so come to pass, and the Speaker and the principal of the Comons have prayed mee under their hands to allow a session for the raysing of their whole debt, which I shall soon bring to pass, if not interrupted and disquieted by the articles above. I never made or managed a complaint against any person concerned in Government with mee, nor do I now but I could not easily find the way to set these things right nor satisfy the Gentlemen of H.M. Council who think themselves injured. You will please to communicate this to their Lordships. Mr. Usher is yet absent, and I know not what he has to say, but I suppose he writes to their Lordships upon these matters. But the fleet being ready to sayle and at 30 leauges distance I could not delay any longer. *Signed, J. Dudley. Endorsed, Recd. Read March 1st, 17<sup>10</sup><sub>11</sub>. Holograph. 2 pp. Enclosed,*

509. i. Four Members of the Council of New Hampshire to Governor Dudley. Portsmouth, 21st 9ber, 1710. After sundry fatigues in attending Mr. Usher in Council, 1st at Hampton, 2nd at grt. Island, 3rd at grt. Island, and this day at Portsmo. upon very frivolous occasions, and Mr. Waldron readily answering his several speeches, wth. whome ye Councill did alwaies unanimously agree, but their answers being perhaps not agreeable to Mr. Usher's expectation, he enquires how Waldron came to sitt there, it was answer'd he sate there by

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virtue of ye Queen's mandate and by the Governour's order was admitted and sworn as in such case is required, he then told Mr. Waldron he dismiss'd him from that Board etc., without mentioning any reason for ye same, at wch. ye Council were very much amazed, for that ye said Waldron never offered anything but wt. was ye mind of every member of ye Council yn. present. Your Excellency is well acquainted with Mr. Usher, but he's of late grown greivous to us, his comeing here under pretence of H.M. service is onely to disquiet H.M. good subjects, and disserve rather than serve H.M. interest, of wch. wee could give sundry instances, but will particularize but one, vizt., notwithstanding this poor province was necessitated for want of powder *etc.* in this time of warr, at a great charge to send over an Agent for England with an Adresse to H.M. for a supply thereof, wch. H.M. was most graciously pleased to grant, yet but yesterday wee are inform'd by ye Commander of ye Fort Mr. Usher had ordred to fire 3 rounds of all ye guns at ye Fort, wch. wee understand was accordingly done at the expence of 10 or 11 barrells of powder at once, wch. wee presume is more than has been done by your Excellency's order for 7 or 8 years last past. So yt. if your Excellency would please to represent him as he is, yt. by any means he may be removed, it will be a service to H.M. as well as an ease and quiet to her good subjects here. Wee sent to Mr. Story for copies of the Minutes of Councill to send your Excellency, but he tells us Mr. Usher required ye Councill book, and he supposed has carried both that and ye minutes down to Great Island wth. him. *Signed*, Wm. Vaughan, Saml. Penhallow, John Plaisted, M. Hunking.  $1\frac{1}{2}$  pp.

509. ii. Extract of Minutes of Council of New Hampshire. *Without date.*  $\frac{3}{4}$  p. [C.O. 5, 865. Nos. 61, 61 i.-ii.; and (without enclosures) 5, 913. pp. 331-333.]

Nov. 25.  
New Castle.

**510.** Lt. Governor Usher to the Secretary of State [*Lord Dartmouth*]. By H.E. Speache, Mr. Allen surrendring his claime to province New Hampshire, if perchased H.M. claime will be from Naumkege to Port Roiall, in sd. tractt is all the trees fitt for masts and navall stoares, fitt for H.M. service. There is such destruction of trees for boards, am informed by Major Plaisted, if some strictt care and ytt. speedily, in foure years time noe masts fitt for the Crown, the Surveieur tho' prohibitts and ceizes, the Governmtt. nott assisting, uncapable to serve the Crown, opinion either Governour or Lt.-Governour have comition for Surveieur wth. power and liberty to make a Deputy. For an Actt to be made for preserving woods and nursery will never here be made to answer the end, therefore an Actt in parlimtt. moste proper. I once sentt heads for one (same may be there perfected) to Plantation Board. Lett Actts never soe strong made, and

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strickt, if Act putt in execution, will never obtain judgmt. for the Crown, because Crown never had rightt : soile being in natives, as judges of Courtt have declared, and all persons as judges agtt. Queen's right. I humbly pray an Actt may be pastt, wherein Crown or others concerned, if either partys in any case desires a spetiall verdictt, judges to directt the juries soe to finde ; if nott all evidences being in writeing, may apeall to Superiour Courtt, and there give in reasons of apeall, weh. reason and answer shall be in nature of a spetiall verdictt and in case of apeall for Engld. ye whole case with seal of province be remitted, and meritt case entered on in Engld., and there either confirmation or reversion. There is absolute necessity of a Courtt of Chancery for H.M. service and releife of the subjectt. Itt's an unhappiness judges in this province (where Crown concern'd) instead of setting as judges, plead as attorneys agt. Crown, as Vaughan and Plaisted. If a poore loyall man committs a crime, shall be handled with severity. I humbly presentt names for Members and Councill. I crave your Ldshps.' favour Genll. Nicholson, Capt. Studley and others may attend your Ldshps., and give accott whatt hath bin under theire information and observation in this Governmt. Pray for a company souldiours for the Fourtt, will be to strengthen, and suport of honr. Governmt., security for ships ytt. come for navall stores, guard for getting masts, and to Surveiour woods to guard him. Humbly pray for £200 to make a bridge from mainland to island, for releife of Fourtt if attacked ; be of greatt service. This Governmt. never gave me one peny for service therein, thincking to starve me, and by affronts discourage me in discharge of my duty. Still shall perform the same, they haveing nothing agtt. me, butt I will maintain prerogative of Crown, and mony shall nott divert me. Mr. Walderen being admitted Councill, I suspend him, comeing in att wrong door under notion of a mandate, and affrontt on your office, nott persuant to Queen's order, as may se by Minuitt Councill, a person a judge for setting up natives rightt to soile agt. Crown grants. One Mr. Armstrong goes by this conveiance, is capable to give a true accott. of Governmt. and soile, and in perticuler Quitt-rentts, etc. *Signed, John Usher. Holograph. 1 p. Enclosed,*

510. i. Minutes of Council of New Hampshire, Nov. 21, 1710. The Lt. Governor suspended Mr. Waldron, etc., who said he would await the Governor's Instructions. *Copy. 1 p.*

510. ii. Memorandum by Lt. Gov. Usher. *Quotes Governor's Instructions as to form of granting public funds to the Crown for the publick use, and as to keeping accounts. There is the sum of £2511 10s. 7d. issued out of the Treasury not for publick uses or the province or support of the Government, neither is there books of accts. fairly kept, which I demanded Nov. 23, 1710, of the Treasurer ; he refused to produce his books, and gave me a genll. account to send to Auditor Genll. Mr. Penhallow, who is now Treasurer and one of the*

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Councill is an ill man as to Crown Government. I humbly desire he may be dismist from Councill and Treasurer. There is noe care taken for passing laws for punishing Mutiny, Deserters or False Musters; I once proposed an Act about it to the Assembly, but the(y) would not agree upon it in neither Houses. An accot. of mony issued out by H.E., not for the use and suport of Governmt., according to the Queen's Instructions:—Pd. Wm. Partridge £300; Wm. Vaughan, £400; George Vaughan £858 7s. 2d. Noe account on file with the Secretary of particulars: pray may be inquired into. *Nota.* £50 of £250 paid George Vaughan was paid to H.E. 1 p.

510. iii. The Lt. Governor's reasons for suspending Mr. Waldron. He had no warrant, and refused to take one out. (*v.* Aug. 17 *supra*). When he hath been summoned to Councill, we have waited sometimes two hours for him. General Nicholson coming to the Province, I called a Councill at Hampton to take care of his reception. Mr. Waldron with others replied the Province was poor, could not receive him at the charge of the Province. Answered then I would. Upon which it was replied that orders should be given to the Treasurer for his reception at Hampton, and Col. Packers at Portsmo. I ordered the Councill to meet to give General Nicholson a reception, out of disrespect Waldron and others refused to attend me, that when the General did come to Portsmouth, I had none but Capt. Studley and Mr. Secretary Story to give a reception, Vaughan and Waldron designing a back way to receive him at Vaughan's house, tho' his reception by the Councill ordered at Col. Packer's, provision being there made. Waldron endeavoured to make a difference between H.E. and the new Assembly (*v.* Minutes of Councill, Aug. last). I ordered Mr. Secretary Story to take a Minuitt of Councill and draw upp the same, accordingly he did, Waldron said it should not be, he would draw one and did, copy of both formerly sent you. H.E. Oct. 19 made a speech to the Assembly; in the Assemblies vote to H.E.'s speech vindicated themselves as to their answer to my speech in Augt. last, and they desired to raise mony to pay debts, and to lay duties on lumber, which dutys would amount to £500 per annum. Mr. Waldron and Councill would not consent, and all the time of the Sesions was spent in debates for the Assembly to retract from their answer to my Speech, but they would not, soe nothing was done. When at any time I come into the Councill Chamber if Waldron is there before me, with disdain has his back some time to me, and at a distance say your servant, with insulting deportmt., affronts many and great with

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disrespect to the Queen's Commission. When in former Councils he was suspended and the laying dutys on boards was proposed, the Assembly then would not consent; and now the Assembly proposes an Act for the said dutys and the Council will not consent, Waldron being in the Council. When I suspended him in an insulting manner he said he took leave of his honour at the door with his hatt on, and called to the Secretary to take a Minuitt. I replied to him, it is verry saucely wth. your hatt on. *Signed*, John Usher. 1 $\frac{3}{4}$  pp. [*C.O.* 5, 10. *Nos.* 4, 4 i.-iii.]

Nov. 26.  
*Rochester*  
at Plymouth.

**511.** Commodore Aldred to the Council of Trade and Plantations. *Encloses following.* The original of the petition of the inhabitants, signed by them, was, in coming on shore, lost by accident, the boat being oversett. *Signed*, J. Aldred. *Endorsed*, Recd. 1st. Read 4th Dec., 1710. 1 p. *Enclosed*,

511. i. Answer to such of the Heads of Enquiry of the Council of Trade as are unremedyed in Newfoundland. Article 4. The inhabitants and others continued to rind ye trees for covering their houses, stages *etc.*, which might be remedyed by their being obliged to make boards for that use. (12) The Admls. and Masters do not keep any journals or accounts of the number of ships, seamen *etc.* employed as is directed in ye Act. (20) They have no other sustenance in this country then fish, venison and some small quantity of wild fowl. They carry on some small trade of beaver, otter, fox and martin and other furs. (21) They are supplied with provisions from Great Britain, Ireland and New England, and have their salt from Portugal, Isle of May, Bilboa, Cadiz and Barcelona. They have no cloathing nor fishing tackle *etc.* but from Great Britain and Ireland. (22) Some considerable quantity of rum came hither from New England, whereby ye fishermen and servants do debauch themselves and run in debt, for payment of wch. many are obliged to hire themselves to ye planters. (24) The commoditys brought to ye country are disposed of to ye fishermen, seamen and inhabitants. (25) Some small quantity of sugar and tobacco are brought thither from New England and ye West Indies for ye country's expence only. (28) Value of oyl from 15 to 16 £ per tun, and fish from 15 to 16 sh. per quintal. (29) The sack ships are all laden with fish and go to Bilboa, Viano, Oporto, Aveira, Figuera, Lisbon, Cadiz, Gibralter, Barcelona, Genoa, and Livorne. (31) Inhabitants at Plaisence and other places in Newfoundland are abt. 1000, no encouragement given to planting. (32) They have three forts, one of 50 guns and 2 mortars, one of 20 guns and 2 mortars, and one for small arms *etc.*, and 50 ps. cannon along shore. (33) The French carry on great trade on the banks of Newfoundland, where

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they have most times of the year 50 or 60 sayl of ships catching and making mudd fish which they carry to France.

*Answer to the Additional Instructions :* The vessells from New England do supply ye inhabitants of Newfoundland with provisions, which if proveded would endanger their starving. European commoditys are carried directly to Newfoundland from Spain, Portugal and Italy in British ships, vizt. wine, oyl, brandy, frutes, weh. are sold to ye inhabitants and others in ye country. These are not to be prevented unless ye Act of Trade is put in execution. *Endorsed as preceding.*

511. ii. A scheem of the Fishery of Newfoundland, 1710. Fishing ships 49, sack ships 26, ships from America 18. Burthen of fishing ships, 5748 tuns. Men belonging to ye fishing ships, 2802. Fishing ships' boats, by boats and inhabitants' boats, 518. Byboat men, 624. Quintals of fish made by fishing ships, 34290, by byboats, 14068, by inhabitants' boats, 91170, taken in prizes, 33,000. *Total*, 172528. Quintals of fish carried to market, 137,226. Quantity of train made, 692 tuns. Inhabitants : men, 1868, women, 235, children, 377. *Total*, 2480. *Same endorsement.* 1 p.
511. iii. Petition of Inhabitants and Traders of Newfoundland to the Council of Trade and Plantations. Whereas the benefit that arrises from the Fishery and Trade is considerable to us and the publick, we beg leave to demonstrate that since (two years agoe) the takeing of Saint Johns which is the only or cheife place for the security of the whole country and trade of Newfoundland, the Government not having been pleased to send forces, ammunition and other warlike necessarys for its reliefe as formerly, its defence for last winter was nevertheless undertaken by your petitioners with a resolution suitable to the importance of the place, and that zealous loyalty wee owe H.M. This our faithfull service, tho' a duty we owe our Queen and Country, was of so much burthen to us in the dangers, and also the inconveniences of so many families and their effects being crowded up in so little room, and the want of so many necessarys, which the strictness of our watch could not allow to be supplied, and that which most concerns the publick, our Fishery ; that when we had conceived great hopes of being supplied with all things necessary from England this summer, and wee found all our expectations vain, nothing could be more averse then thinking of engageing over again in the same hardships another winter ; but our Governour who has upon all accounts approved himselfe to us in his zeal for the publick, being by the Commadore prevailed upon once more to take upon him the charge of this Fort, wee all of us after his example are willing to expose to the utmost

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forseen hazards from an highly incensed enemy, rather than be witnesses of the sad consequences must otherwise needs follow upon ye loss of a place on which depends a concern of so high an importance. But that wch. animates us the rather to this, is together with our duty the hopes we humbly beg we may not again be disappointed in that these ye utmost testimonys of our loyalty to our gracious Sovereign may so farr recommend us to her pity and good esteem, that her same auspicious tenderness and vigilancy, which so gloriously, readily and effectually protects all other parts of H.M. Dominions may not think us unworthy of some the least share of her favour. The Nation wee assure ourselves is sensible of ye moment of Newfoundland even in its now greatest disadvantages from the hostility and ravages of the French, and therefore not to divine what we may hope from the times of a settled Peace, since the whole depends upon the preservation of this place, wee again humbly begg that the Government will appoint such forces as may be sufficient to take the charge of it, that ye conveniency of fishing, ye only riches of this country, may not be utterly lost or in great measure be again hindered and so H.M. faithfull subj. brought under ye necessity of quitting the trade to their own utter ruin and so considerable disadvantage to the publick. *Same endorsement. Copy.* 1½ pp. [C.O. 194, 4. Nos. 142, 142 i.-iii. ; and 195, 5. pp. 152-160.]

Nov. 26. **512.** Governor Hunter to [? *Lord Dartmouth*]. I had the  
New York. honor of two of your Lordps.' letters by our packet boat, one relating to the expedition intended against the French in Canada. How little is to be expected from this people your Lordp. will see at your leisure by the inclosed copies of mine to the Lords of Trade. I humbly intreat your Lordp's. assistance toward an effectual remedy or all must runn into confusion here, and indeed for any thing I can learn they are driveing the same way in most of the other provinces. I must again put your Lorp. in mind of the bills drawn on behalf of the poor Palatins, etc. *Signed, Ro. Hunter.* 1½ pp. [C.O. 5, 1091. No. 31.]

Nov. 27. **513.** The Queen to Governor Hunter. Warrant for altering  
St. James's. the covenant in grants of lands on the frontier, according to the Representation of the Council of Trade (v. Oct. 26). *Counter-signed, Dartmouth.* [C.O. 5, 1122. pp. 200-202.]

[Nov. 27.] **514.** Sir James Mountague (Solicitor General, 1707) to the Council of Trade and Plantations. Report on Acts of Virginia passed in 1705. (1) As to the Act for *naturalisation*. I am humbly of opinion that it is too great a power to be lodged in any one person, in any Kingdom, tho' he be Governor thereof, to make Aliens and Forreigners to be upon the same foot as the naturall born subjects are, and it may be prejudiciall to our Trade

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and Navigacon, if the persons so naturaliz'd in Virginia be enabled to doe any matter and thing which by any of the Acts made in England concern H.M. Plantations, and yet to disable them as to some things, seems to be contradictory to the notion of naturalizing, which is, investing them with all the rights and priviledges of any H.M. naturall free-born subjects there. As to the Act *for establishing the Genl. Court, etc*, I have no manner of objection, nor to the Act *concerning juries*. I have no objection to the Act of New York, 1706, *granting sundry priveledges and powers to the Rector and inhabitants of the City of New York of the Communion of the Church of England*. I have read over the Laws pass'd in the Massachusetts Bay, 1701-1706, sent to me by Mr. Popple, May 23 last, and have no manner of objection to make to any of them. *Signed*, Ja. Mountague. *Endorsed*, Recd. Aug. 21st, 1707, Read Nov. 27, 1710. 2 pp. [C.O. 5, 1316. No. 53; and 5, 1363. pp. 226-228.]

Nov. 27.  
Boston.

**515.** Mr. Bridger to the Council of Trade and Plantations. I have only to lay before your Lordps. the quantity of Naval Stores in the Fleet and since March last, vizt. (barrels) tar 1410; pitch 2111; rozin 338; tirpentin 1525, imported from this place. H.M. has no such destroyer of her woods as Mr. Collins' Agent *etc*. P.S. As soon as there is any snow, shall go to Piscataqua and into the woods to preserve them, *etc*. *Signed*, J. Bridger. *Endorsed*, Recd. 8th, Read 22nd Jan., 17<sup>11</sup>/<sub>11</sub>. *Addressed*. *Sealed*. *Postmark*, New York, and date of arrival. [C.O. 5, 865. No. 59; and 5, 913. pp. 318-320.]

[Nov. 27.]

**516.** Col. Jones to the Earl of Sunderland. In obedience to H.M. commands, March 25, I have inquired into such complaints as have been made to me against any officers or soldiers of my Regiment for any outrages committed by them upon the persons of any of the complainants against General Parke, or others; and accordingly found four sentinells of the Company of Granadiers commanded by Capt. Thoms. Newell guilty of several high outrages committed in Antigua; and sentenced them to be whip'd, and appointed a meeting of ye Companys then posted in that Island, in order to have the sentence executed, and immediately after signified ye same both by a verball message and by letter to Genl. Parke, who in his answer, according to his usuall contempt and neglect of H.M. Orders, took the pains to inform me that no soldier could be ordered to be whip'd but by a Court Martiall to be approv'd by the commanding officer; and that he should be failing in his duty to H.M. should he suffer ye laws to be broken; and that he should always be willing to appoint a Court Martiall on the least intimation that I desired or had occasion for. After receipt of this letter, I sent a verball message by my adjutant to him, to give notice that I had appointed a meeting of the companys to have ye soldiers whip'd according to my sentence. He thereupon expressed himself in violent rage to my adjutant;—"If he darst, he would lay him by ye heels and clap a sentinell at his door." By this means I

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have been hindered from punishing the offenders, *etc.* A great many affidavits have been taken before me against severall officers of my Regiment. (*cf. July 29*), especially against Lt. Phillip Walch, and one Luke Walch, who for above twelvemonth has done duty as an Ensign in my Regiment by a Commission from Generall Parke, tho' he never produced the same to me till 25th of last month. Severall of the matters they were charged with by ye said depositions were highly outrageous and insolent. But General Parke continuing to give me obstructions in this, as well as ye other parts of my duty. I concluded it improper for me to attempt ye punishing them, since I was sure to be baffled in ye attempt, and have instead thereof herewith transmitted to yr. Lordship the depositions, *etc.* relating my proceedings in obedience to ye said order. General Parke has not only been ye author and encourager of the high disorders and abuses committed by severall officers and soldiers of my regiment and co-operated with them in person, in severall of the disorders and abuses committed by them, but has likewise dissolv'd and broke ye neck of all discipline, and encourag'd ye soldiers to disobedience, and to mutiny against their officers, and has spared and egg'd on some of my officers who are his creatures, and have been made use off as tools in his highest acts of violence and oppression, to the most dangerous peices of insolence to, and contempt of their superiour officers, even myself, *etc.* So that things are come to that pass, that unless some speedy stop be put to his career in such his pernicious practices, the Regiment will be rendered altogether unfit for service, and the Colonies for whose defence ye regiment was sent out, by these means may receive some fatall blow. Tho' there appears a deposition against our Lt. Phillip Everard, yet the said officer has since I have known him behaved himself with a great deal of good manners and civility wherever he has been posted. The offences contained therein are ye only escapes of consequence that I can justly charge him with. I am throughly satisfyed yt. severall other complaints would have been made against some officers and soldiers of my Regimt. who have been employ'd in General Parke's blackest designs, were it not for fear of him or of such officers and soldiers boy'd up and supported by him, *etc.* Signed, Ja. Jones. Endorsed, Recd. Nov. 27, 1710. 4 pp. [C.O. 152, 42. No. 31.]

Nov. 28.  
New York.

**517.** Governor Hunter to the Council of Trade and Plantations. *Encloses* copy of Nov. 14. *Continues*: This comes by the packet boat, by which I received the Instructions relating to illegal trade and the wollen manufacture amongst the Palatins and Commissions *etc.* Yesterday I prorogued the Assembly here to March 1st; they have done nothing, so that all the absolutely necessary parts of the support of Government are now and have been ever since my arrival here defray'd by my poor purse or credit, which you'll easily be convinc'd can not hold long. I send your Lordps. now their journal intire, by which you'll find the truth of what follows. The Assembly having by a clause in a bill for laying a duty on chimneys made the Treasurer

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accountable to them alone, the Council made an amendment making him accountable to the Governour, Council and Assembly, as has been the custome ever since the Country had a Treasurer of their own. As also another amendment exempting the poor Palatins from that duty, and sent to acquaint the Assembly with their amendments. The Assembly did not consent, the Council adher'd, and desir'd a Conference, which was granted, where the Council gave their reasons for insisting on their amendments, but the Assembly neither agreed to the amendments, nor desired another Conference. The same steps were made as to the amendments to a Bill laying a duty on goods sold by auction relating to the Treasurer's accounting, only the message from the Assembly was in general terms, vizt., that the Council could not but be inform'd of the steady and constant resolution of the Assembly not to admit of any amendment to a money Bill. At a conference the Council offer'd their reasons to support their right warranted by constant practice till of late, and confirmed by your Lordps.' opinion, which was given them by my Lord Cornbury (*quoted*) in 1706, but to no purpose. Another Bill past the Assembly for disposing of the stores in the hands of the Commissioners at Albany for the intended Expedition against Canada, whereby they assume a power to sell and convert to what uses they please not only the stores bought by the Country's money, but all H.M. stores, arms and ammunition, guns and mortars taken from her magazines here or sent from those in England; this was thought by the Council presumptuous and unjust and therefore made an amendment confining them to the sale of such stores only as were bought by the Colony's money, but the Assembly would not agree to't, and tho' at a Conference the Council gave them their reasons for the amendment, they never vouchsafed them an answer. After this the Assembly sent up a Bill for the Treasurer's paying sundry sums of money whereby they had appropriated what they gave toward the support of Government, which was not much more then the half of what there is a real necessity for, and much less then the half of what has been heretofore allow'd. To this the Council made an amendment, whereby it was left to be issued by warrant past by the Governour by and with the advice and consent of the Council, as is commanded by H.M. Instructions. The Assembly would not agree to this, and the Council insisting, they desired a Conference, where the Council gave their reasons for the amendments, vizt., the Queen's Instructions, the former practice here, and in the other Plantations, and the method observ'd by Parliament in that case not to appropriate what was given for the Civil List. They sent also up another Bill of fees much like what H.M. dissapproved last year, reducing the Fees so low that no officer could live, tho' the Ordinance for that purpose had reduced them enough in all conscience. This the Council have ordered to lye upon the table. I acquainted your Lordships with the naturalization Act, which had its rise in their own house, and was intended for their service, seeing H.M. Instructions to naturalize the Palatins would have been an inducement to have past it,

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but they let it drop. Upon which I put them in mind of it and acquainted them with your Lordps.' representation to H.M. that the Palatins should upon their arrival here be naturalized without fee or reward, but they have declined it, for no reason that I can guess but that it was recommended to them, seeing they themselves were to be the chief gainers by it. I read to them and gave them H.M. letter in favour of the Lady Lovelace, earnestly recommending to them what was but material justice. The day before her Lord's death they had voted £1600 to him his heires and assignes, and after his death they reduc'd it to five. I prest it both in publick and private as a piece of justice that nearly concern'd the credit of their house, and what would be most acceptable to H.M., but to no purpose, for they have taken no manner of notice of it. After what I have said, I need not tell your Lorps. the difficultys I labour under and the necessity of some speedy relief. For indeed if my Instructions would have allow'd the passing of all their money bills it was but an abuse offer'd to the Governr. at best for the fonds are given for twice as much as they would raise, and the vendue or auction bill, which was to have raised £500, would not have rais'd one farthing, the promoters of it owning that they intended no more by't then a prohibition of that method of sale which they have ever look'd upon to be detrimental to their trade. Now my Lords unless it could be supposed that H.M. cou'd rest satisfy'd to have her Governour and Council here made cyphers, her authority in their persons trampled under foot, and matters of Government for the future managed by the caprice of an Assembly, I firmly hope for and promise myself a speedy and effectual remedy. Some of the Council proposed a Representation to H.M. from their Board, but knowing the unhappy consequences of that method in the Jerseys, I discountenanced it, seeing the Assembly's own Journals will sufficiently make appear the truth of what I have represented. I must do H.M. Council here the justice to declare that I think it is not possible for men in their station to behave with more virtue and resolution with regard to H.M. right and prerogative then they have all of them done excepting one man, that is Col. De Peyster, the Country's Treasurer, who has had the misfortune to be singular in every individual vote since I have had the honor of sitting at the head of that Board, and so avowedly that at a Conference one of the Council was obliged to tell him publicly that he appeared there as an advocate for the unaccountable proceedings of the Assembly, not as a man who had taken an oath to maintain the Queen's right. All the Acts that I have past this session are what follow, and indeed I have past all that came the length of my assent: (1) An Act for laying an excise on all strong liquors retailed in this Colony. (2) An Act for continuing a duty on the tonnage of vessells and slaves, (3) An Act for reviving an Act for better settling the Militia *etc.* (4) An Act for reviving an Act regulating jurors, (5) An Act to repeal a clause in an Act against forging and clipping foreign coin, (6) An Act for the better settlement and asurance of lands, (7) An Act to prevent the burning of woods, (8) An Act for repairing

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the Blockhouses platforms and other fortifications of Albany and Schenectady, (9) An Act to collect the arrears of taxes, (10) An Act to retrench the growing interest of bills of credit, (11) An Act to enable the precincts of Islip in the County of Suffolk to elect two Assessors, a Collector and Supervisor. If your Lordships think the fees, as they are now regulated, reduced too low, I wish some such additions as you judge proper may be made, and that then your Lordps. would be pleased to recommend the same to H.M. for her approbation, and an Instruction thereupon not to pass any Act of Assembly, if your Lordps. are of opinion the ordinance should remain, for you may be assured the Assembly will otherwise pass a Bill for regulating them as they call it the next session, as they have done this. 'Twas impossible to get the Acts last past ingrossed, but by the next packet-boat I will send them to your Lordships. *Signed*, Ro. Hunter. *Endorsed*, Reed. 15th, Read 16th Jan., 1710.  $5\frac{1}{2}$  pp. *Enclosed*,

517. i. Reasons of the Council of New York for insisting on their Amendments to the Bill for the Treasurer's paying sundry sums. By H.M. Instructions, and the practice here and in other Plantations *etc.*, publick money is not to issue otherwise than by warrant passed by the Governor with the consent of the Council, *etc.* *Endorsed*, Reed. Jan. 15, 17 $\frac{10}{11}$ . *Copy.*  $\frac{1}{2}$  p.

517. ii. Amendments of the Council referred to in preceding. *Same endorsement.* *Copy.*  $\frac{1}{2}$  p.

517. iii. Further reasons of the Council (*v. No. i. supra*). *Same endorsement.* *Copy.*  $1\frac{1}{2}$  pp.

517. iv. Reasons of the Assembly for not agreeing to amendments of Council, *referred to in No. i. supra.* *Same endorsement.* *Copy.*  $\frac{3}{4}$  p.

517. v. Copy of an Act of New York for the Treasurer's paying sundry sums of money, *etc.* *Same endorsement.* 2 pp. [*C.O.* 5, 1050. *Nos.* 8, 8 i.-v.; and (*without enclosures*) 5, 1091. *No.* 32; and 5, 1122. pp. 238-250.]

Nov. 28.

**518.** Sir Charles Hedges to Mr. Popple. After a long search in the Registry of the Admiralty, I have found enclosed, being all I can find relating to James Briggs. *Signed*, C. Hedges. *Endorsed*, Reed. 28th Nov., Read Dec. 1, 1710. 1 p. *Enclosed*,

518. i. Deposition of B. Joyce master of the *John and Jane*, and W. White master of the *Unity*, Aug. 9, 1700. Their ships were taken April 30 by a pirate ship, the *Samuel's Adventure* commanded by Lodowick Ferdinando. On board was James Briggs, who had been taken out of the *Resolution* by force and was detained on board against his will. The pirate delivered them back their ships on May 6, with Briggs and the following certificate. *Signed*, Benj. Joyce, Wm. White. *Copy.* 2 pp.

518. ii. Certificate that James Briggs was forcibly detained by me and released as an unwilling servant. *Signed*,

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Lodowick Ferdinando. *Copy.* 1 p. [C.O. 37, 9. Nos. 12, 12 i., ii.; and (without enclosures) 38, 6. p. 506.]

Nov. 30.  
Whitehall.

**519.** Mr. Popple to Col. Lillington. *Acknowledges* letters of Sept. 2 and 14. The Council of Trade have nothing at present to add to their letter of Oct. 26, etc. [C.O. 29, 12. p. 321.]

Nov. [ ]  
St.  
Christophers.

**520.** Speaker of the Assembly of St. Kitts to the Council of Trade and Plantations. I am directed by the Assembly with greatest humility to lay before your Lordships a Bill *for raising a publick Revenue for repairing H.M. fortifications and the support of the Government*, for which are now struggling with the Lt. Governor and Council, that it may pass them, in order to be presented to the Chief Governor for his concurrence; it having unanimously passed the Assembly was carried to the Lt. Governor and Council Oct. 23, returned that day with their amendments, and the Assembly by them adjourned to Nov. 9, when the Bill was again carried to them, new writ over agreeable to such of their amendments as were allowed, and reasons of dissent from the others, etc. The Bill instede of three, we desired might be in force for 20 years, for answer are adjourned for a fortnight, and told by Gent. of the Council it shal never pass there. H.M. Forts are in the greatest disorder, not a carriage to any of the guns that will hold twice firing, neither flower, beef nor salt in store, not a shilling coming in any manner of way, and what is worse no ammunition, know not how soon may be attackt by the enemy, and when the Assembly desire to know how the stores sent by H.M. have bin expended are answer'd by the Lieut. Governor and Council, 'tis none of their business. Your Lordships will find in the Bill sent, a duty laid upon sugars exported to the other Islands, which doubt not but will meet with opposition when it shal be known to be before your Lordships, Nevis having ever flourished by being the Port from whence the greatest part of the sugars of the produce of this Island has bin sent for England, we could not be sensible till about two years ago, that was one great cause of our poverty, the Assembly then passed a Bill laying a duty upon sugars exported to that Island, and presented it to the Chief Governor and Council, were told by H.E. that he was obliged to lay it before your Lordships, but have heard nothing of it since. If your Lordships will please to take into consideration the great disadvantages we lye under in being a devided Island, by which means H.M. part was entirely ruined in 1666 and 1689, and almost reduced to the same condition in 1705-6 by the French, and nothing can I think prevent the Islands being deserted, should H.M. restore the French part upon a Peace, but your Lordships allowing the Bill to pass, by which means we shal have ships directly from Britain, Ireland and the Northern Colonies to bring provisions and necessaries for our settlements which are now forced to buy at second hand and at extravagant rates. During the little time the French were possessed of their part of the Island, which was three years and a half by the

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advantage of being a free port, they became so strong, that had it not bin we had advice of the war before them, and that Colonel Codrington came presently to our assistance with what forces could be spared from the other Islands, in all probability they would then have sent us beggars to some other Colony. From the first settlement of Assemblys in these Islands, they have had the appointing, swearing and displacing their servants at pleasure, and all messages from the Assembly to the Governor and Council have bin carried by two of their members, and those from the Governor and Council by one of the Council (who 'tis possible may have no other advantage over some Gent. of the Assembly than what H.M. putting them in that station gives them) both which have bin struck at lately by the General, in the General Assembly held here, by which no bussiness was then done. The Assemblys cannot be more encouraged than by continuing those priviledges to them, and in allowing them to lay before your Lordships such Bills as they shal prepare for the advantage of the Island, which may be rejected by Governor and Council. *Signed, Ro. Cunynghame. Endorsed, Recd. 10th, Read 26th, Feb., 1710.* 3 pp. *Enclosed,*

520. i. Copy of Bill of St. Kitts for *raising a revenue* etc. referred to in preceding. *Same endorsement.* 5½ pp.

520. ii. Messages from the Lt. Governor and Council to the Assembly of St. Kitts, with replies, upon the Revenue Bill. The Council return the Bill, Oct. 23, 1710, and, stating that it contains some clauses and expressions too doubtfull to pass into a law, and others in plain diminution of H.M. Prerogative and their own honors and priviledges, propose a Joint Committee of the two Houses to amend it, *etc.* The Assembly refuse, but offer to consider any amendments. To the amendments offered by the Council, Oct. 30, they reply, maintaining (1) that the whole power of giving is vested in them, (2) To the Council's criticism upon the proposed export duty upon sugar that it appears too envious and unneighbourly to absolutely forbid a trade with Islands under the same Government; St. Kitts itself may suffer most thereby, and it is matter for a distinct bill; the Assembly reply that they are not upon discouraging trade but raising a revenue to repair H.M. fortifications *etc.*, and that they are the only judges how the same shal be done. It is a matter proper in this Bill. They cannot allow of the Council razing out the words "or either of them" in the condition of the bond the Treasurer is to enter into, the intention of the Assembly being that should the Treasurer be supported to the prejudice of the publick by either House, the other might have power to call him to account, *etc.*, *etc.* *Conclude:* "For Money bills 'tis our right only to prepare them, and which we will not go from, nor allow any other amendments to this Bill, now sent for your concurrence... If you reject it, we shal find

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wayes to have it laid before H.M., who will then know, who is for supporting her Island, and who not." *Signed*, Ro. Cunynghame, Speaker. Old Road, Nov. 9, 1710. *Same endorsement.* 4 pp. [*C.O.* 152, 9. Nos. 37, 37 i., ii.; and (*without enclosures*) 153, 11. pp. 104–108.]

Dec. 1.  
Whitehall.

**521.** Council of Trade and Plantations to Lt. Governor Bennett. Since out letter of Feb. 9, 1709, we have received yours of June 13 and Aug. 30, 1710. We have consider'd what you writ concerning James Briggs; *enclose* letter from Sir C. Hedges thereupon, and certificate from Capt. Ferdinando (*v.* Nov. 28), both which, seeming to us to relate to the same facts as are mentioned in the affidavits you sent us, and Sir C. Hedges informing us he findes nothing further relating to the said Briggs, who was not accused here; you will do well to consider whether there be any new matter alledged against him before he be discharged. In the mean time we are to inform you that you are under a mistake in supposing that the *Act for the more effectual suppressing of piracy* is not in force, the same having been continued by an Act pass'd in the 5th year of H.M. reign intituled, *An Act for continuing the Laws therein mentioned relating to the Poor, and to the buying and selling of cattle in Smithfield, and for suppressing of piracy*, which Act is here enclosed and was formerly sent you, tho it may have miscarried. We have also consider'd what you write relating to the sloop *St. James* of Barbados, and have read the depositions and proceedings in the Admiralty Court, relating thereunto; and observe that the Spanish merchant on board that sloop and five more of the crew, were set on shoar on the South side of Hispaniola, which is very irregular; for when a prize is brought into port in order to an adjudication in the Court of Admiralty, (as the Law directs) it will be difficult to prove whether such capture was made within the limits mentioned in the *Act for the incouragement of the trade to America*, or not, without a discovery thereof by some of the captor's crew, or unless some of the men belonging to the prize be brought into port to evidence the lawfulness of the capture; and therefore, for the future, we expect that you give an Instruction to all privateers in your Government that they always bring into port some of the crew of such prizes as they shall make, and that you take care the said Instruction be strictly observed and comply'd with. The cruel and inhumane treatment of the Spanish merchant on board the said sloop is of very ill consequence, as tending to discourage our trade with the subjects of Spain in America, and directly contrary to Article IV. of the Instructions given to privateers here, and which were sent you in 1704, by Sir C. Hedges, then Secretary of State, a copy of which Instructions we again inclose, whereby you will be informed what you are to do in the case of those that misused the said Spanish merchant. You tell us that you hear the owners of the sloop *St. James* will apply to H.M. for restitution, but you should have acquainted us in what manner they intend to make the said application,

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whether by Appeal or otherwise, and if by Appeal, whether the same was made within time after the adjudication. We have received the Act relating to Capt. Richard Jennings, and when any persons shall appear in behalf of the said Jennings, we shall then consider the said Act. We shall expect the old seal, according to your promise. We are sorry to hear the Island has laboured under such a violent sickness as you mention, and hope that, long ere this, it is abated. [*C.O.* 38, 6. *pp.* 507-509.]

Dec. 1. **522.** Mr. Popple to Josiah Burchet. *Encloses* extract of  
Whitehall. Governor Handasyd's letter, Oct. 3, relating to French and Spanish ships at Carthagena. [*C.O.* 138, 13. *p.* 303.]

Dec. 1. **523.** Same to Capt. Gardner. Gov. Handasyd (Oct. 3)  
Whitehall. has not received the pardon, nor the duplicate thereof, which you informed their Lordships you had sent, *etc.* [*C.O.* 138, 13. *p.* 304.]

Dec. 1. **524.** Capt. Moody to Lord [*? Dartmouth*]. Last year I took  
a more exact survey than I formerly had done of all our inhabited parts [*in Newfoundland*], but found none so strongly and conveniently situated for fortification and fishery as Ferryland, a draft of which I have ready and is the same that at my arrival in England was approved *etc.* *Signed*, J. Moody. 1 *p.* [*C.O.* 194, 22. *No.* 76.]

Dec. 2. **525.** Duke of Queensberry to the Council of Trade and Planta-  
Whitehall. tions. *Encloses* petitions of the Royal African Company and of several planters and inhabitants of Barbadoes, *etc.*, for their opinion. *Signed*, Queensberry. (*v.* Dec. 9.) *Endorsed*, Recd. Read Dec. 4, 1710. 1 *p.* [*C.O.* 388, 13. *No.* 77; and 389. 21. *p.* 332.]

Dec. 2. **526.** Memorandum as to papers sent to the Council of Trade  
Whitehall. by Richard Warr. *Signed*, Adrian Drift.  $\frac{3}{4}$  *p.* *Enclosed*,  
526. i.-xiii. Duplicates of *Nos.* 332 i.-iii., v.-vii., x.-xv.  
526. xiv. List of 62 French prisoners sent home by the Fleet  
(*v.* *No.* 333). 1 *p.* [*C.O.* 28, 43. *Nos.* 47, 47 i.-xiv.]

Dec. 2. **527.** Lord Dartmouth to the Council of Trade and Plan-  
Whitehall. tations. *Encloses* following for their opinion. *Signed*,  
Dartmouth. *Endorsed*, Recd. 4th, Read 6th Dec., 1710. 1 *p.*  
*Enclosed*,

527. i. Mr. Waterhouse to Richard Warre. General Post Office  
Nov. 15, 1710. *Encloses* following from Virginia,  
there being no such person to be heard of, as it is directed  
to. *Signed*, Ben. Waterhouse. *Addressed*. 1 *p.*

527. ii. William Killick to Charles Kennett. Asks for some  
books, *etc.* Since ye late Governor's death, we live very  
peaceably, *etc.* July 14, 1710. *Addressed*.  $\frac{3}{4}$  *p.*

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527. iii.-v. Testimonials and informations ad gradum in the Society of Jesus, on behalf of George Dyne and Edmund Clarkeson. *Signed*, Gul. Hunter, and Robert Brooke S.J. in Maryland. July 20-22, 1710. *Latin*. 5 pp.

527. vi. William Killiek to James Whittmore. July 14, 1710. As to ye accounts you desire of me of our factory,\* I'm sorry I can't give you any such tydings as you hear from that of Madera and ye East, *etc.* It goes here much as in England, where by ye severity of times, we do little more then keep our own. I think there is between 200 or 300 yt. frequent my store: all ye good I do is to try to make them constant and good customers, thousands of whose failings I hope I have concurred to prevent, who otherwise without our help wu'd become renegades. This and the will of God makes me content with my station, even without that great advance wch. is made in ye Eastern factorys. 'Tis our joy to read of them; and as [a] great a trouble to hear of ye unfortunate jarrs of China. We, God be thanked, live in good peace and union one with another, in expectation of better times to advance our trade *etc.* I am building now a house in a place which by Mr. Cataway was christned Paradise: 'tis indeed a pretty situation, with a fine prospect of our River; it resembles something the Hill, *etc.* The 2 underfactours, Mr. Dyne and Clarkeson (*v.* iii.-v.) are passed there time of giving us new bonds; as also Mr. Delveaux is. They all seem to me to be fitt for our purpose: and to have those conditions our factory requires. My bonds were sealed long ago. We have imploy for 2 or 3 factours more: but whoever comes, please(d) to lett them be well qualified: others do but disgrace our trade. The wares I want are chiefly those wh. you cant send, being they are prohibited goods. I shud be glad (for my diversion) to read ye lives of ye modern Hero's of Don Inago's company, *etc.* My kind love and respects to Mr. Sheldon, *etc.* *Signed*, William Killiek. 2 pp.

527. vii. — to Thomas Parker. Refers to some bills drawn upon Mr. Kennett (*v.* ii). July 20, 1710. *Addressed*. 1 p. [*C.O.* 5, 717. *Nos.* 20, 20 i.-vii.; and (*without enclosures*) 5, 727. p. 207.]

Dec. 4.  
Whitehall.

**528.** Lord Dartmouth to the Council of Trade and Plantations. Having laid before the Queen your Lordships' Representation of Feb. 23 last, concerning the state of Newfoundland, and severall papers on the same subject, which have been lately putt into my hands, your Representation being of an old date, H.M. would have you take it again into your consideration, as also the

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\* Jesuit propaganda.

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other papers, *etc.*, and report your opinion what may be fitt and expedient to be done for the good of that Colony, and for the advantage and security of our navigation and fishery there. Capt. Moody and Mr. Vane, whose papers are enclosed, will waite on your Lordships, *etc.* *List of papers enclosed. Signed, Dartmouth. Endorsed, Reed. Read Dec. 6, 1710. 2½ pp. Enclosed,*

528. i. Capt. Moody's Proposal for building a Fort at Ferryland. *Signed, J. Moody. Endorsed, Reed. 6th, Read 8th Dec., 1710. ¾ p.*

528. ii. Lords Commissioners of the Admiralty to Lord Dartmouth, Admty. Office. Dec. 2, 1710. There were sent to Newfoundland the last year three ships of her Majesty's of fifty gunns, one of two and thirty, and two frigats of the sixth rate, and when the Trade shall have occasion for convoy and protection the next year, wee will endeavour to furnish them with the like security. *Signed, J. Leake, P. Methuen, J. Aislacie, William Drake. Endorsed, Reed. 6th, Read 8th, 11th, 1710. 1 p.*

528. iii. George Vane to Lord Dartmouth. Aug. 2, 1710. In pursuance of your Lordp's. orders, I have here sett down the just relacon of the takeing of St. John's Harbour and Fort. A detachment of the French that were coming from Placentia commanded by Monsr. de St. Ovide, Lt. Governour of the aforesaid place, being composed of part of the said Garrison, of part of a shipp's company of a small frigate of the King's of 20 gunns call'd the *Venus*, as likewise of a mercht. ship bound for Hudson's Bay that winter'd there, some of their inhabitants fishermen, some Canadians and 7 Indians, in all about 170 men, each arm'd with musquett bayonett, one or two pistolls, a small ax, *etc.*, having made the journey by land from Placentia, Dec. 22nd, 1708, about 4 a'clock in the morning came within little more than pistoll shott of the pallasadoes of the cover'd way, on the side of the great Gate, before they were perceiv'd by the centryes, that before the centry had challeng'd them and fired his peice, the headmost of the enemy were entering the cover'd way, so into the ditch, (where they were under cover of our cannon) placing their scaling ladders and mounting. Our guard that consisted of 13 men of the garrison and 19 of the inhabitants fishermen, commanded by a serjant, who being wounded, his corporal and some of the soldiers rann away and gott over the ramparts on the other side, as the French were entering on that. Having rose att the firing of the first musquet I came to the ramparts about that time, there not being yet one Frenchman in the place (as I cou'd perceive) by their not having been able to pull down the new pallasadoes I had about a month before sett up in the room of the old rotten ones that were on the Berme before, so that they were

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forced to pull up their ladders unto the Berme to gett over them, finding scarce anybody on the ramparts, went and call'd over to the inhabitants who kept a guard without the sally porte to come to our assistance, was answer'd they cou'd not gett in, then ran to the guard house to see if any were there, and found almost all the inhabitants men, who woud not take their arms and mount the rampart, for all the intreaty I cou'd make them, meanwhile severall of the Frenchmen were entered the place, others having lett down the drawbridge of the great gate (the lock of which is said to have been simply hung on and not lock'd) forced open the gate, and were entering in a body, seing myself almost surrounded and having no men to make head against them retired towards my house, the French pursuing me and fireing att me, and that so close (as since they told me) that just as I gain'd the rails before the door one had clove me down with his ax but that another call'd to him, don't kill him, 'tis an officer, wch. words I heard but knew not then 'twas me they meant. I gain'd the door and shutt it, but scarce had lockt it when the balls came in att the windows very thick, and some to batter att the door, having ask'd in French who was there, was answer'd good quarters, on which I surrender'd. While I went to the Guardhouse, Majr. Loyd had quitted the ramparts as he said since to fetch the keys and open the sally port to lett in the inhabitants, was really knock'd down and taken a little after coming from his house with the said keys in his hand. There was not above 6 or 7 of the soldiers that were not on the guard that took arms and came out of the barracks, the rest refuseing (as Steel the eldest serjant of the Garrison since told me) to do it, that in less than half an hour the enemy was intirely master of the place. On the first alarme 6 or 7 of the inhabitants came running from their houses with their arms, and fired on the French as they were mounting, but not being seconded were 5 of them kill'd or wounded by the fire of some of the French who turn'd upon them. This was all the defence the inhabitants made, and it's not much to be wonder'd since 'tis assur'd that some of them said after, they were glad provided Majr. Loyd was hang'd, as they hoped he wou'd be, besides the great distinction and favour the French are said to have shown to some of them, give great reason to believe it was not for nothing, and it's well known that nothing passed on our coast but the French were inform'd of it. I heard myself one of them say he had lain att the house of one Minchin of Petty Harbour 2 or 3 times the summer before, of wch. none of H.M. officers were ever inform'd of, as ought to have been. A boy belonging to one of the inhabitants named Gilbert Jane, having been in the

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woods the day before we were taken, saw the musquetts of some of the French sett up agt. a tree, heard them talk etc., came home and told his said master, who instead of advertising of it, threatned the boy to break his bones, if he said another word of it, for he was a lying rogue, and wou'd make them be all night under arms, if Major Lloyd came to hear it. One of the French who spoke good English being one night a little in drink was ask'd what they wou'd have done, if they had fail'd in their attempt, for provisions to have gone back with, answer'd that in Gr—y's house up the Harbour were provisions enough, and that they were sure of that before they sett out, but for their lives should not say he had told it, for Monsr. de St. Ovide wou'd have him hanged, if he were discover'd, *etc.* The Castle that defended the harbour's mouth might have made a very good defence, had an officer been there, being rather stronger then the fort, and furnish'd with all warlike stores to the full as well, yet was surrender'd up without firing a shott. About a fortnight after wee were taken, the French having prepared a challoway, Major Loyd, the youngest Lieut. and myself were put on board it and sent for Placentia, the eldest Lieut. being sick staid behind, about 2 months after took hostages for the inhabitants and demolished the fortifications, bringing the said Mr. Gully, about 50 of the soldiers, the gunners *etc.* prisoners, the cannon ammunition with what else they thought proper, for which end the Governour of Placentia had sent thither the aforesaid frigate with 3 sloops, the rest of the soldiers, some took on with the French, others hid themselves in the woods, or engaged or took on with the inhabitants as fishermen, so were left behind. About the end of April 1709, the Governour of Placentia having had news from Europe that a strong squadron of English men of warr were design'd for those parts, with a great many land forces, sent Major Loyd, his nephew, and the rest of the prisoners to Quebeck in Canada, Mr. Gully being sick was to stay, myself with one of the gunners (by the intercession of the Lt. Governour) got leave to stay, to be sent by the first opportunity to Old France. In the beginning of June arriv'd att Placentia the *Fidelle* man of warr of 54 gunns commanded by Monsr. della Rochalare, with a large flyboat of the Kings, having on board them 200 extra marine soldiers devided into 4 companys design'd for a garrison for St. Johns with stores *etc.* for the same, not knowing of its being demolished till on the Banks. The Governour caused the said troops and stores to be landed to strengthen his garrison. The man of warr continued there till the Fall to convoy home the shippes there, when the Governour sent Mr. Gully on board

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the flyboat, with the gunner, but me on board the man of warr, which brought and landed me att Rochfort, where I continued prisoner till July 12th, 1710 N.S., that I obtained my liberty on my parole of honour to come for England. *Insists* on necessity of fortifying St. Johns so as to render it impregnable, with a garrison of 200 to 300 men and an experienced Governour, *etc.* 30 of the garrison to be New England Indians for running the woods, so as to prevent correspondence with the enemy, and to give timely notice of his approach. If the country be as I left it, it's open for the French to come and ruin all the stages, train fatts *etc.* on our coast every winter wch. will in time be the ruin not only of the inhabitants, but of the fishing shippes that use that trade, for tho' the inhabitants att Ferryland have the Island of Boys where they secure their persons and provisions, those in Conception Bay, Bell Isle and Carboneer, those att Trinity, Green Island not securing their stages and train fatts lye open to all insults, as doth St. Johns having no Island att all and by consequence every way exposed to all the attempts of an enemy. *Signed*, G. Vane. *Endorsed*, Recd. 6th, Read 11th, 1710. 3 large pp.

528. iv. Extracts of letters from Mr. John Collins to his brother, Edwd. Collins, Minister of Wimbleton, Surrey. (a) St. Johns, July 16, 1709. Thank God I am escaped with my life, tho' near losing ye same, having ye next man to me kill'd and another wounded, and all to little purpose, the Garrison being lost without firing a gun, or not above 4 or 5 musketts, which when they were masters of commanded ye inhabitants being under ye said garrison. No doubt but ye inhabitants lye under ye same scandal as those that belong'd to the garrison; if so, it must be by them that are not acquainted with ye same. The French obliged us to ransom our houses *etc.*, or threatned to carry us off for Canady, *etc.* After we had consented to their articles and gave them ransoms, and they oblig'd themselves not to disturb our Fishery, nor carry none of us inhabitants away from ye same, without any manner of notice carried me with them to Placentia, and before I return'd it was ye 27 of June, *etc.*, *etc.* (b) Oct. 24, 1709. The Garrison being repair'd, in wch. ye inhabitants desire to live this winter, they have with all others as merchts., masters of ships and Commanders of H.M. ships, *etc.*, pitched on me to command ye same, *etc.* It will cost me abundance of money to fitt mysele for that post, wch. I hope to maintain if not surpris'd before we can settle ourselves and gett ye people in, if doe, I do not doubt of making a handsome defence. I am told that I need not doubt of ye Government's making me satisfaction, *etc.* *Encloses copy* of his Commission. (c) Nov. 8, 1709, we have (*in the*

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*garrison*) near 500 souls, but not att most 4 months provision, and of which one half women and children. I desire you will make our condition known, that we may have a speedy relief, without it, 'tis impossible we shou'd subsist, but must become tributaries as before, *etc.* (d) June 27, 1710. We have had a miserable hard winter, but thank God our people stood very well in health, in ye garrison, we have a man of war arrived and many other ships, but no relief to ye garrison, no further than he is persuaded to quitt some marines in for ye ease of ye poor people, that they may go on their employment, but requires me to continue in ye same, which is a great hindrance to my business, besides a considerable charge I have been att. I have wrote to ye Commrs. of ye Ordnance relating to ye same, *etc.* All yt. know ye benefit and worth of this trade and income to our Crown admire there should be so little care taken of it. *Same endorsement. Copy. 3 pp.*

528. v. (a) John Collins to the Board of Ordnance. Fort William St. Johns, Newfoundland. June 27, 1710. As I was appointed the last fall by Capt. Joseph Taylor, Commander of H.M. Garrison in this harbor, beleave itt my duty to acquaint your honers that with the few inhabitants left in the garrison have securde the same the winter and for the better security have carried round the works a forth rank of pallasadoes, weh. hass bin of sum charge, *etc.* (b) Same to same. Oct. 24, 1710. Encloses account for above, *etc.* *Signed, John Collins. Endorsed, Recd. Nov. 27, 1710. Addressed. Postmark. Seal. 1 p.*
528. vi. Major Lloyd to Solomon Merit. Placentia, Nov. 13, 1709. Having write to Capt. Lloyd and Mr. Reynolds, I referr you thereto, and here will venture a few lines, which recommend to the Secretary of State, having not an oppertunity to writ to him in that manner I ought, the which I will endeavour to do when I am in France. When I was in Quibec this summer, it was the news the English were design'd for Canada (vizt.) by water for Quibec 12 menn of warr with transports *etc.* and 6000 Scotts and their families commanded by Macharty ; by land from New York, Albany and Boston 3000 to attacque Mon Royal. You must understand that on the River Canada the French have four Governours as vizt. at Quibec the Governour Generall Monsr. Marquis de Vadrele at Mon Royal Monsr. Ramsey 60 leagues distance from the former, in the middle between both a place called the Three Rivers another who died last winter ; and at New Misasippy, which goes into the sea towards Mexico, another who likewise died last winter ; Monsr. Ramsey with 700 menn was sent with intent to surprize the English from Albany as they crossed a Great

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Lake, which they were obliged to doe in their canoes etc., he was on that expedition about 20 days, but finding they were in two small forts which they had built, he return'd with two prisoners having killed four more, which the French called 60. At my parting from Canada the Governor Generall with 3000 menn was at a place called Chambly by Mon Royal building a small fort at a pass where they expected the English would come, but they may march another way and avoid that if advertised of it, beleive me at that time 500 was sufficient to take Quibec, there being neither officer, soldier or inhabitant hardly left there; most part of last summer they worked about the fortifications of Quibec from 3 to 600 men a day; the back part towards the land which was formerly weakest is now much the strongest, it being where they think the English would attempt; they have in all Canada 6000 menn, and noe more including the soldiers; at Quibec 72 pecies of canon mounted, which they call 100, it is a very foolish fortification that cannot be defended with less then 20,000 menn, it being at least 8 or 9 miles round, of no strength in severall places, tho' strong in some others, what is of greatest danger is, that this summer they had an invention as following, they had bound together vast quantity of wood which is bound with iron barrs, two or three foot under water, and this being above the towne the first night the ships anchored before the place they were to lett it goe with the tyde which is vastly strong, and put it a fire, being contrived with all manner of combustible matters for burning; and where the ships will anchor (as presumed they will if not advertised of this) it would reach from one shore to the other, or very near, and without dispute, if the fire would not take, as it probably would, the weight of it would either break the cables or make the anchors give way and so drive the ships aground, the flowing and ebbing there being a perfect sluice. At a place called the Gulf about 30 leagues before you come to Quibec, they have likewise severall small ones of this kind, but of no great danger, unless the ships anchor there, the last news we had at Canada was that the Allyes had lost a considerable battle in Spain, which occasioned the 6000 Scotch to be sent to Portugal, that there was 8 menn of warr at Boston, but would not stirr by orders of the Governour, expecting orders from England, that the army from Albany *etc.* had burnt their forts etc., and were retired; Monsr. Vadrell on this was on his journey from Mon Royal to Quibec, and was expected to arrive the day I left the place being Sept. 30th. At Plaisence likewise I find they have minded their garrisons very much; they have here seaven companys of soldiers; Capt. Goddrell and a

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detachment of about 36 of them goes in a privatier sloop, that belongs to the Governour to cruize on the coast of Martineco, the rest winter here ; I had it from the mouth of the Lieut. du Roy, who took St. John last year (in his passion he spoke, on account of some part of the ransom being not paid) vizt., now they were resolved the English should have Placentia or he would see all the English had in Newfoundland levell with the ground before a 12 month came about. It is true I have been unfortunate and am in a manner ruined ; but were I but at liberty to serve my Nation, I believe myselve capable to be a means to retrive their loses and my own too ; could I have my revenge I would be contented. That cowardly villian of an Enginier Capt. Vane, I am sure is a traytor, and will betray the Government whatever they trust him, had it not been for him I should not have been a prisoner here, it is my opinion the French will burn and distroy all they can this winter, etc. I expect to be at Rochell in France soon, etc. *Signed*, T. Lloyd. *Same endorsement. Copy. 5 pp.* [C.O. 194, 4. Nos. 143, 143 i.-vi. ; and (without enclosures) 195, 5. pp. 160, 161 ; and 324, 32. pp. 46, 47 ; and 324, 31. pp. 8, 9.]

Dec. 4. **529.** Lord Dartmouth to the Board of Ordnance. Encloses  
Whitehall. following for their opinion. You are to consult Mr. Vane, etc.  
*Signed*, Dartmouth. 1 p. *Enclosed*,  
529. i. Capt. Moody's proposal for building a fort at Ferryland  
at the cost of £5000, etc. *Signed*, J. Moody. *Copy.*  
1 p. [C.O. 194, 22. Nos. 77, 77 i.]

Dec. 4. **530.** Governor Handasyd to the Council of Trade and  
Spanish Plantations. Since my last dated Oct. 3, Commador Littleton  
Towne. arrived here with one man of war, and about 3 or 4 merchantmen,  
the two other men of war that came along with him, he left  
cruseing off on the Spanish Coast, which is not yet arrived. We  
have 7 or 8 traders now upon the Spanish coast, and one man of  
war to attend them, there is one of the number since come in and  
has brought with her in returne for her small cargoe about 15  
or 16,000 peices of eight which has given encouragement for  
more goods and sloops to be sent out upon the same accot. Since  
the last sloops sayled wee have had an accot. by a vessel from the  
Island of Cuba, that there came from France and Spain a Fleet  
of ships to the number of 15 or 16 sayle, for the Havana and  
Laverde Cruse (if it be so will spoyle our trade) under the convoy  
of 4 Spanish and 2 French men of war. It's reported they are  
to convoy home the galloon that escaped last, with what other  
ships are then ready. We are also informed they were not sayl'd  
a month ago. Commador Littleton has dispatched two men of  
war, 7 or 8 days agoe, for the coast of Carthagen to gett intelli-  
gence whether the afforesaid information be true or not, and in

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case they are not gone, he will take all the care that is posible to intercept them, but I am very apprehensive they will steal away. Mr. Littleton intends to send in case nothing intervene to prevent all the traders that are ready to sayle to the number of 10 or 12 ships under the convoy of one or two men of war, who will saile the 8th or 9th inst. I heartily wish them a safe-arrival in Great Britain. As to other newes here, wee have little material, the Island has been afflicted for this six weeks past with sickness, as feavers, sore throats etc., but not so mortal as formerly. I understand that some of our privateers has taken and carry'd into New York 3 or 4 French merchantmen, they being so leaky they could not bring them to the windard to their commission'd Port. I hope soon my Regt. with myself will be releived, etc. *Signed*, Tho. Handasyd. *Endorsed*, Recd. 10th, Read 15th Feb., 17<sup>10</sup>/<sub>11</sub>. 2 pp. [*C.O.* 137, 9. No. 31; and 138, 13. pp. 318-321.]

Dec. 4. **531.** Same to Lord Dartmouth. *Duplicate of preceding.*  
Spanish Towne. [*C.O.* 137, 51. No. 29.]

Dec. 5. **532.** Affidavit of R. Love, master of the *Abraham* galley, in favour of Charles Arrabella (*v.* Nov. 14). *Signed*, Richard Love. *Endorsed*, Recd. Read Dec. 7, 1710. 1 p. [*C.O.* 5, 717. No. 21.]

Dec. 6. **533.** Council of Trade and Plantations to the Duke of Queens-  
Whitehall. berry. In reply to Dec. 2, refer to their representations of Feb., 1708 and Dec. 1709. [*C.O.* 389, 21. pp. 334, 335.]

Dec. 7. **534.** Lords Proprietors of Carolina to the Receiver General  
Craven House. of South Carolina. You are to send over the account of the late Receiver General and remit the balance due to us in rice etc. by 2 of the next ships that shall come for England. You are to pay no money to any persons whatsoever, except ye usual and allowed salaries of our officers of that part of our Province as they are mentioned in our late Receiver General's Commission and Instructions, unless you have an express warrant for the payment thereof under our hands and seals. P.S. You are required not to make any payment to ye person in present possession of the Governmt. since the death of the late Governor unless you have further orders from us. *Signed*, Craven, Palatin, Beaufort, Maurice Ashley, John Danson. [*C.O.* 5, 290. pp. 4, 5.]

Dec. 7. **535.** Lord Dartmouth to the Council of Trade and  
Whitehall. Plantations. A letter from Governor Bennet, June 13, directed to the Earl of Sunderland having been put into my hands, I observe he desires H.M. directions (i) About one James Briggs, charged with piracy and in custody at Bermuda; (ii) relating to

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several soldiers condemned to death there ; (iii) a pardon for Anthony Kenty, one of them. He says you are as fully informed as I am in these matters. I desire therefore your opinion on these particulars *etc.* *Signed*, Dartmouth. *Endorsed*, Recd. 9th, Read 13th, Dec., 1710. 2 pp. [*C.O.* 37, 9. *No.* 13 ; and 38, 6. pp. 510, 511.]

Dec. 7. **536.** Lords Proprietors of Carolina to the Council of Trade  
Craven House. and Plantations. We having receiv'd information of the death  
of our late Govr. Col. Edward Tynte, have agreed to constitute  
Charles Craven Esq., Govr. of that Province, whose integrity  
and capacity for that imployment we very much rely on. We  
therefore desire your Lordships to lay this matter before the  
Queen and humbly desire H.M. approbation of our said Governor.  
*Signed*, Craven Pallatine, Beaufort, M. Ashley, J. Danson.  
*Endorsed*, Recd. Read Dec. 8, 1710. 1 p. [*C.O.* 5, 1264. *No.*  
105 : and 5. 1292. p. 235.]

Dec. 7. **537.** William Penn to the Council of Trade and Plantations  
Whitehall: Honble. Ffrds. I have no other accounts to lay before you of  
the proffits and charges of Pensylvania, but what you had from  
me about two years agoe so that I cannot so fully answer your  
6 Queries (*v.* Nov. 4) as perhaps you may expect. If I could, yet  
do I not conceive, how your first and second have any relation  
to the surrender of my Governmt. For I do not remember to  
have made an offer of alienating any part of my Propriety (strictly  
so called) but only the Governmt., which will alone, I presume,  
entitle me upon a surrender, to aske a considerable sum of money,  
as well in consideration of the expence I have been at, in making  
it a country, as of the benefit and advantage the Crown has  
already, and hereafter will receive thereby, in the increase of the  
Customs, as well as other parts of the Revenue, which I am  
inform'd, have amounted for several years to between 10 and  
£12,000 per annum, and sometimes double that sum, and  
especially surrendring it at a time when in keeping it in my own  
hands, I may reasonably expect a great proffit thereby, the  
Country being now come to that maturity, to stand upon it's  
own leggs, that is able to raise supplies, equall to most of the  
neighbouring Collonies, more than sufficient to defray all the  
charges of Governmt., which are less considerably in my Govern-  
mt. than in other places. I cannot possitively say what revenue  
at present is settled to defray such charges. But the same has  
been maintain'd heretofore, partly out of my own private fortune,  
and partly by ye people. Which I have been the more willing  
to comply with, because it was my opinion taxes in ye infancy of  
a Collony, would be a cramping of the industry of the People,  
and experience has since shown, my notion was not ill-founded,  
by ye superiour improvemts. and trade, above many of their  
neighbours. It having been during the late scarcity of corn in  
Europe, not only ye granary of ye W. Indies, (which it hath  
been many years) but also of some part of Europe, and what has

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been may be again. The proffit the Crown will gain by my surrender, may easily be perceived to be very considerable, if it be considered that upwards of 25 years since, the people made a free gift of a small duty upon goods exported and imported, which at that time of day would have brought in by a modest caleulation £1200 per annum. This I thought fitt to let fall, in consideration of £600 and intended it should lye dormant for sometime. And soon after coming for England, it was never revived. The flourishing state of Pensilvania neither requires nor expects to put me to further charge. But will, I am well assured, upon my going there, settle a handsom revenue, if the same be not already done, to defray the charges of Governmt., and enable their Governour honbly. to subsist. The Crown has formerly desired my Governmt., when it was not arrived at ye ability and perfection it now is, and I am sure it will appear, if I surrender my Governmt. to the Crown, that the Revenue will not fall short of its neighbours, and at the same time the charge much less, so that upon the whole the Crown will be more a gainer by my Governmt. than by some others. I hope not only this, but the making a wilderness, a fruitfull country, without any expence to ye Crown, who will reap the fruit of my labour and expence in the increase of the English navigation and customs, and the maintaining, as well as making that country, chiefly out of my own estate, does intitule me to a good and valuable consideration. And I doubt not but in justice you will so report it, that this affair may have a speedy issue. Upon the whole matter, I expect £20,000 for my governmt., but am content to allow seven years for the compleating the full paymt. thereof, receiving yearly proporconable sums, till the whole be paid. Which is so far from being a boon, that it has sunk my patrimony, several hundred pounds per annum to bring it to what it is. If you are not pleas'd with this proposal, then I only begg that what was intended for a satisfaction as well as a favour (I mean the grant of Pensilvania) may not be made the ruin of my other estate, and family to support it, as it hath hitherto been, by the many interrupcons, and avocacons there, and here, for 28 years past. I have been several times there, and as often called home to my great expence, fatigue, and danger, to defend my just right, not to say merit, to the Crown. *Signed*, Wm. Penn. *Endorsed*, Reed. 8th, Read 22nd Dec., 1710. 2½ pp. [C.O. 5, 1264. No. 106; and 5, 1292. pp. 237-240.]

Dec. 8.  
Whitehall.

**538.** Council of Trade and Plantations to Lord Dartmouth. *Enclose following*, "communicated to us by Mr. Stephen Du Port." *Annexed*,

538. i. Extract of a letter, dated St. Christophers Sept. 16, 1710, relating to Guardaloupe:—One of our privateers has taken a small vessel coming from Guardaloupe. One of their chief officers writes as follows: "It is two years since M. de Philipeaux was appointed to this Government, and he comes not. The Court leaves us

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without ships, money, flour or Government. M. de Gabarett, the present Governor, is so weak that the negroes intended to take advantage of it to plunder the whole Colony, but were discovered and nearly 40 of the leaders punished by wheel and fire, and in faith it is time M. de Philippeaux came." I have the original of this letter signed De Lavalmiuere, Lient. de Roy de la Guardaloupe. It is certain that if we could profit by this occasion, we could go very far towards the conquest of this Island. *Copy. French. 1 p.* [C.O. 152, 39. Nos. 120, 120 i.; and 153, 11. pp. 96, 97.]

Dec. 8.  
Whitehall.

**539.** Council of Trade and Plantations to Lord Dartmouth. Representation on petition of Ann Pauley (*v.* Nov. 14). Charles Arrabella having already suffer'd the greatest part of his penalty, we are of opinion that, if H.M. shall judge him a fit object of her royal compassion, he be not discharged from his imprisonment till an opportunity shall offer of his being put on board some ship bound for Europe, in order to his leaving the Province of Maryland. [C.O. 5, 727. pp. 204-206.]

Dec. 9.  
Whitehall.

**540.** Lord Dartmouth to the Council of Trade and Plantations. Returns above Representation for a fuller report of the circumstances of the case. *Signed, Dartmouth. Endorsed, Recd. 11th, Read 12th Dec., 1710. 3 pp.* [C.O. 5, 717. Nos. 22, 22 i.; and 5, 727. pp. 207-210.]

Dec. 9.  
Whitehall.

**541.** Duke of Queensberry to the Council of Trade and Plantations. Having laid your answer (Dec. 6) in relation to the Royal African Company before the Lords of the Committee of Council, it has been represented to their Lordships that the papers I transmitted to you did contain several new proposals, and I therefore inclose the said papers again to you for your further consideration. *Signed, Queensberry. Endorsed, Recd. 11th, Read 12th Dec., 1710. 1 p. Enclosed,*

541. i. Petition of the Royal African Company and their Creditors to the Queen. It is generally admitted that the trade to Africa is naturally adapted to the common interest of Great Britain and the Plantations. Reason, experience, and the singular nature of the trade itself, and the universal and continued practice of all other European nations trading thither, demonstrate that it can never be carry'd on and improved by any other method so securely and advantageously as by a Company exclusive. While the present Royal African Company had the countenance and authority of the Sovereign on their side, no trading Company in Europe did, in so short a compass of time, carry on and improve their trade so much as they did, *etc.* For besides their having built a considerable number of forts, they

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increased the export of far greater quantities of British manufactures; they furnish'd the Plantations with constant supplies of choice negro slaves at very moderate rates, and imported such quantities of gold dust from the coast of Africa, that in few years time before the Revolution, they coin'd many more guineas in the Tower, than both the Company and separate traders together have done in quadruple the number of years ever since. By reason of the unrestrain'd liberty assum'd by the interlopers for some years after the Revolution, and the temporary permission which the Parliament were prevail'd upon to grant to the separate traders for an experiment under the plausible (tho' fallacious) pretence of benefit to the nation by laying the trade open to all your Majesty's subjects, the trade to Africa has fallen ever since under very great and unavoidable disorders; for as the French, Dutch, Danes, Portuguese, *etc.*, were always rivals and competitors with the Royal African Company for the trade of the coast of Guinea, so the private traders having not only separate stocks, interests and designs quite different from that of the Company, but likewise very uncertain, precarious, and disconcerted methods of trading thither, the British interest by being so divided on the coast, is thereby reduced to very great extremities: insomuch that for the want of a preconcerted, uniform and regular management of the trade there, the British interest daily declines, their manufactures are still more and more deprettiated, the value of negro-slaves are by degrees advanced to the treble or quadruple of what they cost the Company formerly, the Plantations have been but very indifferently and uncertainly serv'd with slaves, and those they get are at excessive dear rates, the importation of gold dust *etc.* not worth the naming, the French, Dutch, *etc.*, taking advantage of our separate interests, are gaining ground daily with the natives, and the Royal African Company who (while encouraged and protected in the enjoyment of their privileges) were alone capable of out-rivalling all their foreign competitors, are now under unsuperable discouragements and difficulties both abroad and at home, so that if some effectual care be not speedily taken for remedying those growing evils, that most valuable branch of our foreign trade is in extreme danger of being irrecoverably lost to this nation. Tho' what is above represented was in a great measure laid before the honourable House of Commons in both the Sessions of the last Parliament, yet some few private traders had the art of imposing impracticable notions on some members in such a manner, and possessing them with very groundless prejudices against the Company, that both the Sessions terminated without any effectual care being

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taken for the preservation of that trade, but leaving it (as it still lyes) in extreme disorder, and the Company (merely for want of encouragement and protection) wholly expos'd to the most intolerable insults and reproaches imaginable, both abroad and at home. *Describe conditions of the trade on the African coast, the financial position of the Company*, which has lost £400,000 by seizures by the enemy in the late and this present war. The Company's creditors are willing to unite with the Company to carry on this trade, which is absolutely necessary for the good of the nation, upon any reasonable terms, provided they might have the Company's priviledges, as by their Charter, mutually secur'd to the Company and their creditors. Petitioners enclose their scheme, by which they humbly conceive the Trade would be effectually preserv'd to the Nation, and carry'd on to the utmost extent, and the Plantations most certainly supply'd to their satisfaction, *etc.* *Signed*, By order of the Royal African Company, John Pery, Secretary, and 256 other signatures. *Enclosed*,

541. ii. Petition of Planters and other inhabitants of Barbados to the Queen. Barbados, July 20, 1710. Petitioners are deeply concerned in the trade to Africa, the constant supply of negroes at moderate prices being the chief support of this Colony, whereby we can only be enabled to preserve the staple of sugars, and other commodities and to afford them in greater quantities and cheaper than other nations. For many years, while the Royal Affrican Company had the sole management of that trade, this Island was duely supply'd with a sufficient number of negros at moderate prices, from £10 to £20 per head, which was a very great encouragement, and enabled us greatly to improve the manufacture of this Island; but for several years past, since that trade hath been laid open, the number of negroes imported by the Royall African Company and separate traders together hath not been sufficient to supply this Island, and those which have been imported have been sold at extravagant prices, from £20 to £40 per head, which petitioners conceive to have been occasioned by the different intrests of the Company and separate traders, each biding on the other; of which the natives of the coast taking an advantage have raised the price of their own commodities and sunk the price of those of Great Brittain and this Island, which is an unspeakeable damage and discouragement to petitioners, tends to the ruine of this trade, the lessening your Majesty's Revenue, and the navigation of Great Brittain. *Pray* that the British interest on the coast of Africa may be effectually preserved, and the trade put on such a foot that a sufficient number of negroes may be had on the coast, on moderate rates. *Signed*, Thos. Carney, Tho. Beckles,

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Reynd. Alleyne, Wm. Sharpe, S. Dourousseau, Wm. Allumby, Benj. Alleyne, Saml. Cox, S. Matson, Ben. Bullard, Josph. Haines, Tho. Alleyne, Manass. Gillingham, Tho. Alleck, Saml. Osborn, Midleton Chamberlain, Edwd. Jordan, Richd. Parsons, Geo. Walker, Alex. Walker, Wardll. Andrews, Tho. Stokes, Richd. Sandiford, Timot. Salter, Hen. Lintott, Tho. Prideaux, Robt. Hamson, Saml. Beresford, Saml. Brown, Hen. Carter, Wm. Cleland, Jno. Frere, John Dolin, Nth. Ides, John Trent, Jno. Whetstone, Raynes Bate, Richd. Carter, Thos. Waite, Jno. Sandford, Robt. Vaughan, Benj. Matson, John Sober snr., Saml. Gollop, Saml. Nauterick, Mar. Niccolls, Jo. Scott, Jno. Colleton, Wm. Dottin, Edwd. Nicolls, Mat. Reynell, Joseph Todd, Jno. Eastmond, John Sharp, Const. Kelley, Dan. Hooper, Jno. Hottersall, John Jordan, Saml. Haggard, Wm. Hooper, Edwd. Hooper, Jos. Salmon, Guy Chapman, Steed Bonnet, Saml. Collyns, Jno. Rous, Tho. Carmichael, Rd. Morgan, Jos. Puckering, Wm. Howard, Tho. Rollfone (?), Hen. Piers, John Naurick, Ja. Waterman, Will. Carter, Robt. Osborn, James Dotin, James Cowse, Edwd. Morgan, Tho. Harper, Josph. Brown, Elisha Holder, John Clarke, Tho. Steward. *Endorsed*, Recd. 11th, Read 12th Dec., 1710.  $2\frac{3}{4}$  pp. [*C.O.* 28, 13. Nos. 50, 51 (*covering letter and enclosure i. only*); and 388, 13. Nos. 94, 95; and (*without enclosures*) 389, 21. pp. 344-356.]

Dec. 9.  
Whitehall.

**542.** Lord Dartmouth to Governor Hunter. *Encloses H.M. Warrant of Nov. 21. Signed*, Dartmouth. [*C.O.* 324, 32. p. 49; and 324, 31. pp. 9-11.]

Dec. 9.  
Treasury  
Chambers.

**543.** Mr. Lowndes to Mr. Popple. *Encloses following.* My Lords of the Treasury request the Council of Trade and Plantations to report to them what abatements of these duties they think may be a reasonable encouragement for those privateers, in order to the laying the same before the Parliament. *Signed*, Wm. Lowndes. *Endorsed*, Recd. 11th, Read 12th Dec., 1710.  $\frac{1}{2}$  p. *Enclosed*,

543. i. Address of the Governor, Council and Assembly of Jamaica to the Queen. March 28, 1710. *Duplicate.* 3 pp.

543. ii. Memorial of merchants and inhabitants of Jamaica to the Lord High Treasurer. *Copy.* 4 pp.

543. iii. H.M. Commissioners of the Customs to the Lord High Treasurer. Custom-house, London, May 19, 1710. *Report on preceding.* The Collector, Peter Beckford, hath not done any more than his duty according to his Instructions from this Board, in pursuance of your Lordship's warrant July 6, 1708, the Act being silent, by whom the said duties should be received and

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accounted for. We shall direct him to remit hither the money he has received on account of the duties on prize goods in Jamaica. It appears that he has been greatly obstructed in the execution of his duty by Wm. Norris, the Naval Officer there. And forasmuch as he has signify'd to us that the powers he collects the said duties by are questioned as not sufficient, we humbly pray your Lordship will write to the Governors of the Plantations to countenance the officers of the Customs in the execution of their respective duties, and in remitting the Queen's money home. *Signed*, J. (=T) Newport, Will. Culliford, J. Werden, J. Stanley. *Copy*. 4 pp.

543. iv. Same to [*? Same*]. Custome-house, London. Aug. 19, 1710. *Refer to preceding and following*. In consideration of the hardships represented in *following* petition, which we believe in great measure to be true, we think if security could be taken to answer ye duties till the persons concerned shall have an opportunity of applying to Parliament, it would very much conduce to the encouragement of captors, the benefit of the trade and security of that Island, and that the same may be made generall for the releif of all H.M. Plantations in America. *Signed*, T. Newport, Will. Cullyford, M. Dudley, J. Shute. *Copy*. 2 pp.
543. v. Order of Queen in Council, Kensington, July 31st, 1710. Referring following to the Lord High Treasurer. *Set out*, A.P.C. II., 1120. *Signed*, John Povey. 1 p.
543. vi. Petition of Merchants, Traders and Inhabitants of Jamaica to the Queen. Pray for the remission of the duties on prize goods, which frequently exceed their value *etc*. *Copy*. 4 pp. [*C.O.* 137, 9. Nos. 23, 23 i.-vi. ; and (*without enclosures*) 138, 13. pp. 304, 305.]

Dec. 11.  
London.

**544.** Separate Traders to the Council of Trade and Plantations. *Reply* to Nov. 1st. (i) The sum paid in London to the Royal African Company on account of the 10 p.e., Michaelmas 1709–1710 amounts to £3241 1s. 6d., and by allowances on ships lost £539 9s. 6d. ; and in Bristol to £1577 5s. 0½d., and by allowances on ships lost £252 18s. 3d. = £5610 14s. 3½d. But having not yet received an account of what hath been paid on the 2 ships fitted out at Liverpool, nor of the 5 ships fitted out at Jamaica and Barbadoes, nor of what have been fitted out from other Islands, we cannot come at the true account thereof, but compute the money paid on those vessels to amount to about 8 or £900 more. (ii) The private traders have sent out in that time 24 ships from London, 20 from Bristol, 2 from Liverpool, two from Jamaica and 3 from Barbadoes—51 ships ; notwithstanding we have lost since Michaelmas 1708, 30 odd ships and their cargo's, besides which we have now fitting out from this port 5 ; from Bristol 2 ; from Plimouth 1 ; from Whitehaven 1 ; and

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there being 7 of last years ships not return'd from their voyages, will in all make 68 sail this year employ'd by separate traders, besides such as go from the Plantations ; whereas on the part of the Company we find but 3 ships sent from Great Britain this year and £398 16s. 3d. paid by them for the 10 p.c. duty. (iii) 8040 negroes were delivered by us into the Plantations, Michaelmas 1709-10, wch. were sold at Jamaica at from £16 to £24 per head ; at Barbadoes from £25 to £28 ; at Montserrat, Nevis and Antigua at £30 to £35 ; the money of these places being 20 p.c. worse than that of Jamaica. 3 or 4 of our biggest ships were taken by the enemy before they began their trade, and six others with 1256 negro's on board were taken on their way to the West Indies, part of which were design'd for Barbadoes, by which means there were at least 2700 negro's deliv'r'd into the Plantations less than otherwise would have been, yet it is very remarkable that the number of private ships in this year's trade exceeds that of last year by 14, which is a convincing proof that the African trade is not likely to be lost or in a declining condition by reason of private traders, as is suggested by the Company, but, on the contrary, in a much better state in respect to the Plantations (altho' now in war and under the greatest discouragements) than at any time in peace under the Company when exclusive, from whom of late years it must indeed be own'd the said Trade hath receiv'd very deep wounds, both abroad and at home, by their making and ('tis fear'd) continuing an alliance with our enemies for our destruction, buying our ships' cargoes of the enemy, after they have taken them on the coast ; and hindring the natives in Africa from buying our British manufactures, while they encourage the Portuguese, our great rivals in the sugar trade, thereby raising the price of negroes on the coast, in order to ruin separate traders (*method described*) ; whereby the Company have laid a foundation for the effectual ruin of our Plantations. As to their charge that separate traders imported no gold, we have this year by three of our ships imported £7000 in gold dust, and we compute that all our other vessels did import at least £500 each in gold, which together exceeds the annual import of the Company, when exclusive, very much ; and as the separate traders have very near beat the Dutch interlopers out of the trade, who sent out but two or three ships last year, so in time there is great reason to believe the subjects of Great Britain will have the sole trade on the Gold Coast, especially if we were freed from the practices of the Company, who prove a greater annoyance to the trade every year than another, *etc.* Signed, Joseph Martin and 9 others. Endorsed, Recd. 13th, Read 20th Dec., 1710. 3 large pp. Enclosed,

544. i., ii. Accounts of ships sent and 10 p.c. duty paid, and woollen goods exported by separate traders, Michaelmas 1708-1709 and 1709-10, *v. supra.* Same endorsement. 2 pp.

544. iii. Testimonial of John Hays as to the Governor of the African Company trading with the French. Same endorsement. 1 p.

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544. iv. Testimonial of Jacob Duce as to the protection given by the Royal African Company's Agents to Portuguese ships trading to Africa. *Signed*, Jacob Duce. *Same endorsement*. 1½ pp. [*C.O.* 388, 13. *Nos.* 102-106; and (*without enclosures*) 389, 21. pp. 359-370.]

Dec. 12.  
Whitehall.

**545.** Lord Dartmouth to Governor Handasyd. H.M. is willing to gratify your regiment in their petition for relief, but cannot do it at present, there being no regiment now that can be sent on that service, but as soon as possible care shall be taken to relieve your Regiment. *Signed*, Dartmouth. [*C.O.* 324, 32. pp. 50, 51; and 324, 31. pp. 11, 12.]

Dec. 12.  
Whitehall.

**546.** Mr. Popple to John Hyde. Enquires for any further information in the case of Charles Arrabella. [*C.O.* 5, 727. pp. 210, 211.]

Dec. 12.  
Whitehall.

**547.** Mr. Popple to Mr. Carkesse. The Council of Trade and Plantations desire an account of the amount of the bonds taken for the payment of the duties on prize goods in Jamaica (*v.* Dec. 9 *etc.*), and what sum has already been paid there since the American Act. [*C.O.* 138, 13. pp. 306, 307.]

Dec. 13.  
Whitehall.

**548.** Same to Same. The Council of Trade and Plantations having been informed that great quantities of goods, for the duties whereof bonds were given at Jamaica, have since been imported into this Kingdom, and paid the duties here, they desire you would give them what light you can in this matter, *etc.* [*C.O.* 138, 13. pp. 307, 308.]

[Dec. 13.]

**549.** Capt. Vane, late Engineer at Newfoundland, to the Council of Trade and Plantations. On proposals for fortifying St. John's, Ferryland and Trinity. *Signed*, G. Vane. *Endorsed*, Recd. Read Dec. 13, 1710. 3 pp. [*C.O.* 194, 4. *No.* 144; and 195, 5. pp. 164-170.]

Dec. 13.  
Whitehall.

**550.** Council of Trade and Plantations to the Lords Proprietors of Carolina. *Reply to* Dec. 7. We have looked back into our Books, and do therein find that the method formerly taken by your Lordships for obtaining H.M. approbation of your Governors, has been to make application to H.M. in Council for the same, which method if your Lordships shal think proper to continue, and H.M. shal be pleas'd thereupon to referr that matter to us, as has usually been done, the same will be then taken into consideration. [*C.O.* 5, 1292. p. 236.]

Dec. 13.  
St. James's.

**551.** Order of Queen in Council. Referring three Addresses of Maryland (*v.* Feb. 2 and A.P.C. II. *No.* 1130) to the

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Council of Trade and Plantations for their opinion. *Signed*, Christo. Musgrave. *Endorsed*, Reed. 18th, Read 20th Dec., 1710. 1 p. [*C.O.* 5, 717. *No.* 23 ; and 5, 727. *pp.* 216, 217.]

Dec. 13.  
St. James's.

**552.** Order of Queen in Council. Referring *enclosed* to the Council of Trade and Plantations for their report. *Signed*, Christo. Musgrave. *Endorsed*, Reed. Read Jan. 2, 17<sup>10</sup>/<sub>11</sub>. 1 p. *Enclosed*,

552. i. Petition of Sir T. Lawrence to the Queen. Prays H.M. to inforce his right to the benefit of licences denied by the address of the Council and Assembly of Maryland. (*v.* *No.* 551, and A.P.C. II. *No.* 1130). *Copy.* 1<sup>1</sup>/<sub>2</sub> *pp.*

552. ii. Memorandum of petitions and orders relating to Sir T. Lawrence's claims. 1<sup>1</sup>/<sub>2</sub> *pp.* [*C.O.* 5, 717. *Nos.* 24, 24 i., ii. ; and (*without No.* ii.) 5, 727. *pp.* 218-221.]

Dec. 14.

**553.** Mr. Cumings to Mr. Popple. *Encloses following*, "by which their Lops. will see the difference betwixt the inhabitants' boats of St. John's and Ferryland is but one . . . the advantageous situation of Ferryland for fortification is such that £1000 charge wou'd make that stronger than 5000 wou'd any other part of that country." *Signed*, Archd. Cumings. *Endorsed*, Reed. Read Dec. 15, 1710. *Addressed. Postmark.* 1 p. *Enclosed*,

553. i. A scheme of the Fishery of Newfoundland for 1710. *Amplifies No.* 511 ii. *Signed and endorsed as preceding.* 1 p. [*C.O.* 194, 4. *Nos.* 145, 145 i. ; and 195, 5. *pp.* 171, 172.]

Dec. 15.  
Virginia.

**554.** Lt. Governor Spotswood to [? Lord Dartmouth]. *Con-gratulations. Continues* :—The present conveyance will permitt me to trouble your Lordp. with little else than only to acquaint you that our Assembly is just now broke up, after having passed several laws, which I hope will be agreeable to H.M., and demonstrate that perfect harmony there is in this Government, *etc.* *Signed*, A. Spotswood. 1<sup>1</sup>/<sub>2</sub> *pp.* [*C.O.* 5, 1337. *Nos.* 7, and (*duplicate*) 19.]

Dec. 15.  
Virginia.

**555.** Lt. Governor Spotswood to the Council of Trade and Plantations. By an express from New York which arrived here yesterday, I had the honour to receive your Lordps'. of May 17 and Aug. 28 and 30th, and take the opportunity of the return of the express to informe your Lordps. that the Assembly broke up the 9th inst., after having passed 15 publick and two private Acts, in which, and in the other affairs that have been before them, they have shewed a due regard to H.M. service, and given proofs of that good correspondence wch. I have had the good fortune to cultivate with them ; whereof I doubt not your Lordps. will receive further satisfaction when the laws and other proceedings shal come to your hands. There is one thing in which I have

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not been able to surmount the private interests of particular members of the House of Burgesses, and that is the making a more equal division of the countys between York and James Rivers. I gave your Lordps. in my last an account of the inconveniencys I had then observed to arise by permitting the division of parishes to be treated in the Assembly, and of the influence I perceived it had on the election of Representatives : but having at the begining of this Session received petitions from the inhabitants of a very small county on James River praying an addition of part of an adjoining County lying more commodious to them, then to the rest of that county to wch. it now belongs, I thought it a fitt time to try the temper of the house of Burgesses in that particular. and did with the unanimous concurrence of the Council propose such a division of the several countys between those two rivers as would have made them all very commodious for the inhabitants, and pretty near an equality in their tithables, and consequently in their county levys and publick charges : but when this came to be debated in the House of Burgesses, the private ends of the Representatives of those countys overswayed the publick benefite of the people, and more particularly through the dilligence of one leading man, who by the alteration proposed, would have lost many of his old friends that had voted for him in former elections, and got others into his county of whose friendship he was no ways confident, that project came to be rejected : upon which I humbly take leave to represent to your Lordps. the many inconveniencys under which the people labour in diverse parts of the country for want of a due regulation of their countys and parishes, and the little hopes there is of being relieved by their Assemblys, who, besides their private interests are so fond of their old customs and constitutions that they are afraid of making any alteration, tho' apparently for the better. At the first settlement of this country people seated themselves along the banks of the Great Rivers, and knew very little of the inland parts beyond the bounds of their own private Plantations being kept in aw by the Indians from venturing further, neither had they any other correspondence than only by water, and this continuing for several years till the people began to be numerous, and necessity obliged them to have Courts for the administration of Justice, the principal settlements then gave denomination to the several countys, and the inhabts. of other places associated themselves with those countys to which they lay most convenient and fixed their Court-houses in such places as were then most accessible. According to which disposition the countys next the mouth of James River (tho' at that time best peopled) being bounded by other settlemts. are extremely small, and never will have an opportunity of enlarging their bounds, while the upper countys have extended themselves to an extravagant length along the sides of the rivers as they now are. Afterwards when the more inland parts of the country came to be inhabited and roads were made from one river to another, though they discovered the inconveniency of their first establishment, yet the unwillingness they found in many

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people to alter what they had been long accustomed to, and perhaps the like private ends as now prevail disappointed the attempts that have been made for a more equal division untill at last those inconveniencies are become intollerably burthensome to the country ; some countys are now 90 miles in length, and the inhabitants are obliged in some places to travell 30 or 40 miles to their own Court house, tho' they live within six miles of the Court house of another county. Some of the countys have 16 or 1700 tithables, while others have little more than 500, and are confined to the narrow compass of 10 or a dozen miles square. Other countys are divided by large rivers, so that whenever the inhabitants of the opposite side of the river have occasion to repair to their Courts, General musters, and other publick meetings, the ferriage of each, in going and returning amounts to 2s. or half a crown, by wch. it is evident how unequally H.M. subjects are taxed, in their county levys, as well as the unnecessary trouble many of them are put to, for want of a better regulation of the countys. There is likewise a mighty difficulty to find Justices of the Peace in the large countys, those who live remote from the Court houses being unwilling to accept of the office, that they may avoid the trouble of riding 40 or 50 miles to their monethly courts. There are the like inconveniencies attending the present settlement of parishes, and proceeding from the same cause, of wch. many instances might be given but I shal only trouble your Lordps. with one, to witt, the parish of Verina in the upper parts of James River has near 900 tithables in it, a great many of which live 50 miles from their Church, and very seldom come there ; there is joining to this parish another consisting only of 72 tithables, and almost encompassed with the parish of Verina. Yet tho that remote part of the parish of Verina lyes extremely commodious to this small parish and the inhabitants are very desirous to be joined to it, all endeavours that have been used hitherto for obtaining this conjunction have proved in vain, and the vestry of Verina will part with none of their parishioners because it would encrease the parish levy of those that remain, wch. (I'm sorry to tell your Lordps.) is more regarded than the souls of their fellow parishoners ; and if no remedy can be applied to this, the consequence must be, that those poor people who are deprived of the benefits of the publick worship, will either degenerate into Paganisme or Atheism, or at best give opportunity to sectarys to establish their opinions amongst them, and thereby shake that happy establishment of the Church of England, which this Colony enjoys with less mixture of Dissenters than any other of H.M. Plantations : and when once schism has crept into the Church, it will soon create faction in the Civil Government. These, my Lords, are the inconveniencies wch. flow from the present constitution of the countys and parishes, and the remedying thereof will prove equally difficult, if it must only be expected from the Assembly, because the greater number of the ancient Freeholders who first fixt their Court-houses and Churches for their own convenience, will with others who are indifferent in the matter, always out-balance the injured

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in the election of their Representatives and will be sure to chuse such as are of their party. I find by a speech of my Lord Effingham's to the Assembly in 1684, that he had authority by his Commission to bound countys and parishes, and that by vertue thereof, he put a stop to their proceedings in a case of that nature then before them : but since neither my Commission nor Instructions contain any such power for fixing the bounds of countys, I am unwilling to make such a step without your Lordps.' directions and approbation : neither should I be ambitious of a power in the execution of which I must expect to disoblige several men of considerable figure in the Government, if it were not out of the earnest desire I have to do equal justice to all my fellow subjects, and that I am well assured it will prove of universal advantage to the country, as well as more agreeable to the generality of the people than the fruitless applications they have hitherto been accustomed to make to their Assemblys. And if by this means I can once compass such an equal division as I propose, I shal then use my best endeavours to obtain for your Lordps. an exact survey of the several countys, and with that a true rent roll wch. has been so long desired, and towards which there is now a good foundation laid by some clauses which I have got inserted in a Bill passed this session. I have had much struggle both with the Council and Burgesses in relation to the conditions of taking up land mentioned in H.M. Instructions. As this was the chief grievance with which most of the countys had charged their Burgesses, that House did pretty early present an Address to me to permitt land to be taken up in the ancient method, and intended before the end of their session to have prepared an Address to H.M. on the same subject. But as I gave them no hopes at first of such a condescension, so the answer I sent them at last contains such reasons deduced from their own records and the first constitutions of the Government as, I believe, has convinced them they have not so much cause to complain of H.M. late conditions as they imagined, and by that means I have diverted them from interrupting H.M. more weighty affairs with their Representations ; and your Lordps. will find no other applications to H.M. from this Assembly than only an Address of thanks for H.M. late favours to the Colony and expressing the ease and happiness they at present enjoy. Though I have reason to believe that all discontents about the manner of granting of land are now over, yet I am humbly of opinion that H.M. might receive considerable service, and the country great satisfaction as well as advantage, if permission were given to take up land on one side of James River only, upon the ancient conditions of seating and planting : that River, according to the best accounts of the Indians, issues from a lake on the other side of the great mountains that ly to the westward of us, and makes its way through them. If such a permission were granted there, while the lands in other places are under stricter conditions, the people would soon carry on their settlements to the very source of that River, and the advantages that may reasonably be expected from hence are these, that whereas the French are endeavouring

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to settle a communication between Canada and their late settlements on Mississippi by the way of the Lakes, our people would by pushing on their settlements in one straight line along the banks of James River be able to cutt off that communication, and fix themselves so strongly there, that it would not be in the power of the French to dislodge them, especially considering how much further they must travell than we, to come at that place, as seems to be manifest by the discoveries wch. I have encouraged to be made this Fall by a Company of Adventurers who found the Mountains not above 100 miles from our upper inhabitants, and went up to the top of the highest mountain with their horses, tho they had hitherto been thought to be unpassable, and they assure me that the descent on the other side seem'd to them to be as easy as that they had pass'd on this, and that they could have passed over the whole ledge (wch. is not large) if the season of the year had not been too far advanced before they set out on that expedition. And by this means also it is most probable that a very profitable trade might be established with foreign Nations of Indians, and our Indian traders would find convenient places of refreshment without being obliged (as they are now) to travell some hundreds of miles through desarts before they can vend their commoditys. I gave your Lops. in my last an account of a project intended to be laid before the Assembly for carrying on an iron work : but that design did not meet with the countenance wch. was expected from the house of Burgesses, it being the temper of the people here never to favour any undertaking unless they can see a particular advantage to themselves, and these iron mines lying only at the Falls of James River, the rest of the Countrey did not apprehend any benefite they should reap thereby : since therefore the country have so little inclination to make use of the advantages which nature has put into their hands, I humbly propose to your Lordps.' consideration whether it might not turn to good account if H.M. would be pleased to take that work into her own hands, sending over workmen and materials for carrying it on, and employing therein her Revenue of Quitt-rents, wch. would be a sufficient fund to bring it to perfection. I have been assured that the oar has been tryed and found extraordinary rich, and I have discoursed the owners of the land and find them very willing to yeild up their right into H.M. hands without expecting any other consideration than such an office in the management of the work as they shal be found capable of. The iron might be sent home as ballast to ships without any other charge than of sloops or lighters to put it on board : and by this means H.M. may prevent its being manufactured in the countrey, wch. is the only ill consequence that might have been feared if this work had been undertaken by the inhabitants. As to that part of your Lordps.' letter of Aug. 28, wherein your Lordps. are pleased to expect a particular account of the resolutions of the General Court as well in relation to the settling and adjusting the boundarys between this Colony and Carolina as to the interruption given by that Province to the Indian Trade,

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neither of those affairs were treated of in the General Court, but only in the Council, and I hope the proceedings which I sent your Lordps. by the Fleet will satisfy your Lordships of my endeavours to bring the first to a speedy determination, and as to the latter I have lately received complaints of fresh interruptions given to our Indian traders. Whereupon I am now preparing an express to be sent to South Carolina with a duplicate of H.M. Order in Council, and to know the reason why that order is not obeyed, since I have been well assured it has been sent to that Government long ago by a conveyance from London. I have already acknowledged your Lordships' favour in hastning hither the *Triton's* prize, and that both that ship and the *Enterprize* were here, and would be a sufficient defence for our coast against the enemy's privateers. The intended insurrection of the negros mentioned in your Lordps.' letter to have been communicated by Col. Jennings, gave me occasion at the begining of this Session to recommend to this Assembly to make provision against the like accidents, and especially to prevent the meetings and consultations of the negros, upon which they spent several days in framing a Bill: but it being loaded with so many clauses which were thought too severe by the majority of the House, they very unaccountably threw out the whole bill to the great regrette of the wiser part of the House who by an Address to me have made appologys for that miscarriage and referred the further consideration of that matter to the next Session. I wish I could inform your Lordps. that the sickness wherewith this Countrey hath been of late afflicted was wholly abated; but I'm sorry to acquaint your Lordships that it still continues, and that about three weeks ago Col. Churchill one of the Council died of it. I have also received by this conveyance a letter from Mr. Popple with the list of fees to be taken by the officers of the Admiralty, and shall take care that the same be punctually observed. Should I enlarge now on all the proceedings of the late Assembly, I am afraid I should swell this letter to a larger bulk than perhaps might be proper to send by this conveyance, nor shall I hereafter trouble your Lordps. with large accounts by these pacquett boats till I know your Lordps.' pleasure therein. I therefore referr to my next which I hope in a short time to send with the Laws and Journals of this Assembly by the conveyance of some ships of force bound hence for Great Brittain. *Signed, A. Spotswood. Endorsed, Recd. 15th, Read 29th June, 1711. 7 pp. [C.O. 5, 1316. No. 64: and 5. 1363. pp. 304-317.]*

Dec. 15.  
Whitehall.

**556.** Council of Trade and Plantations to Lord Dartmouth. In answer to your Lordship's letter of Dec. 7 (*q.v.*), we have received letters from Capt. Bennet, the contents whereof are the same as the abovementioned. As to James Briggs, *enclose* copies of letter and affidavits, Nov. 28, *q.v.* However, as no witnesses appeared against him, nor the said Briggs put upon his tryal, he cannot be said to have been cleared here. And therefore we have lately sent to Capt. Bennet copies of the

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said affidavit and certificate, that he may proceed further in this matter, as he shall find good grounds for so doing, and as may be most for H.M. service. As to the soldiers condemned for conspiring to run away with the sloop *Flying Fame*, and go a pirating, we observe that there were eight engaged in that design, two whereof pleaded guilty, and having been pardoned, were produced as witnesses against the others; two were found guilty only of part of what was laid in the information against them, and were therefore order'd to be whipt: the other four were convicted of the last mentioned erime and received sentence of death, of which number is the said Anthony Kenty whom the Governor has recommended as a fit object of H.M. mercy, in that he refused to joyn with the others in murdering him, the said Governor, as had been proposed. Therefore, if H.M. shall, according to her wonted goodness and compassion think fit to extend her royal mercy to the said Anthony Kenty, and shall for that purpose direct the said Governor to pardon him, we have no objection thereto. As to the other three now under sentence of death, tho the forementioned intercession of the Governor in behalf of the said Anthony Kenty do's tacitly imply that the Governor does not look upon any of the others to be a fit object of H.M. mercy, yet in regard he is best able to judge whether, for the peace and safety of the Island, it may be necessary that any of them be executed, and for that he is likewise best able to judge whether those convicts have such a due sence of their crime, and sorrow for the same, as may induce him to believe they will not be guilty of the like for the future, in case of pardon, of which matters we are no way apprised, nor acquainted with the practice of Court Marshals; therefore we humbly offer that either the Governor be left to do therein as he shall judge best for H.M. service and the safety of the Island, according to powers vested in him by his Commission, which are sufficient in that behalf, or that he be directed to give his opinion as to the pardoning or the executing all or any of those three condemned persons, whereupon H.M. may then declare her further pleasure therein. [*C.O.* 38, 6. *pp.* 511-514.]

Dec 17.  
Dartmouth.

**557.** Mayor *etc.* of Dartmouth to [? Lord Dartmouth]. We have sent our Burgesses a petition to H.M. concerning the Newfoundland Trade. It is the onely support of this place, and of great use and advantage to the country about us: and should Mr. Moody (who now seekes to command in cheif there, and to settle a garrison at Ferriland and dismantle that of St. Johns) succeed in his design, the Newfoundland trade will be in danger of being intirely lost to us, *etc.* Signed, Joseph Bulley, Mayor, and 9 others. 1 p. [*C.O.* 194, 22. No. 78.]

Dec. 18.  
Whitehall.

**558.** Council of Trade and Plantations to Lord Dartmouth. *Enclose following. Autograph signatures.* 1 p. *Enclosed,*  
558. i. Council of Trade and Plantations to the Queen. In obedience to your Majesty's commands (Dec. 4), we have reconsidered our Representation of Feb. 23,

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*etc.*, and have discoursed Capt. Moody and Mr. George Vane, *etc.* As to the state in which the Fort at St. Johns was before the French took it, Major Lloyd the then Commander did (Oct., Nov. 1708) inform us that the garrison was in as good a condition as he desired for that winter ; that the company of soldiers consisting of 80 private men, besides officers, was compleat ; that about 800 of the inhabitants wou'd winter under the covert of the Fort, and that all things were in so good a posture, that if the enemy made any impression there, he was willing the blame shou'd be laid upon him. And as Capt. Moody and others have informed us, there were at that time in the Fort 48 peices of cannon, with some mortars, bombs, arms, and ammunition in proportion ; all which were carried to Placentia in April 1709, the said guns being now mounted there. In relation to the state of Newfoundland since 1708, we find that the Old Fort and the Castle on the South side of the entrance into the harbour having been blown up, except part of the mud wall of the Fort, and most of the houses of the inhabitants of St. Johns having been burnt, Capt. Taylor the Commodore of the Newfoundland convoy in 1709 (after the fishing season was over) with the seamen belonging to your Majesty's ships of war, and to the fishing ships, did repair the Fort, as well as the short time of his stay, and the materials they had, wou'd allow ; and the inhabitants built themselves huts within the Fort ; in which place he left eight guns, with some smal arms and other necessaries. At the same time he appointed Mr. John Collins, one of the principal inhabitants, to be Commander in Chief of the Fort, who continues in that command till your Majesty's further pleasure shall be known therein. We do not find that since Commodore Taylor's departure, anything has been done for the better security of the Fort, only that the said John Collins has carried round the works a fourth rank of palissadoes (*v.* Dec. 4). Notwithstanding the care taken by the Commodore, we find the inhabitants remaining at St. Johns are in a very bad condition ; for that besides their former sufferings, they are much impoverish'd by the great contributions raised upon them by the French in 1708, and are left exposed without a fort, arms, ammunition or provisions sufficient to protect and support them, whereas the French are grown stronger. The stone wall round Placentia is finished, several new fortifications added, and that place furnished with guns and other stores of war taken at St. Johns ; the strength of the garrison is increased by a supply of 200 soldiers from France, *etc.* (*v.* Dec. 4). The great advantages that accrue to this Kingdom from the Newfoundland Fishery, and the necessity of protecting that Trade, being well known, we shall only lay before

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your Majesty, that having considered the frequent losses your Majesty's subjects have sustained there, during the winter, by the incursions of the French, we consulted the principle persons here, and in the out-ports concerned in that trade, and others not long since arrived from Newfoundland; and thereupon we are humbly of opinion that since the like number and force of ships of war is to be sent thither the next year as were employed in that service the last fishing season (*v.* Dec. 2), the same will be a sufficient protection to that Fishery during the summer season. Though that number of ships will be sufficient for a summer guard, yet considering the neighbouring settlements and strength of the French, unless there is a good security at land for the inhabitants during the winter, the Fishery cannot be carried on, and that Trade driven so much to the benefit of this Kingdom, as otherwise it may be. The necessity of protecting the inhabitants during the winter will appear in that the French are increased in their strength at Placentia; that there are considerable effects of the British merchants left at Newfoundland every year; and that the inhabitants provide great quantities of winter stores for their own consumption, and also of fish and train oyl, which the British ships on their arrival there find ready to barter or exchange for the manufactures and other goods of this Kingdom, so that the preservation and increase of that Fishery do's much depend upon the security of the inhabitants, and the certainty the merchants may have thereof; which serves as a measure or rule to them for their adventures. We are therefore humbly of opinion, that a land strength is necessary for their security in winter, as ships of war are in the summer season. In order whereunto, it will be convenient that a good Fort be built in the most proper place, and that the same be provided with a sufficient garrison; to which Fort the inhabitants may, with their effects, retire in the winter. Ferryland Down, which lyes to the southward of St. Johns, is, as we are informed, a rising ground, clear of woods, and that there is no place nigh, to annoy it; nor can any ship come within some leagues without being seen; it is joined to the Island by a narrow neck of land or Peninsula, not above 20 or 30 yards broad, and may easily be made an Island, if it shall be judged necessary. 'Tis further said, that Ferryland Harbour is in the form of a pentagon, about a mile long, and three quarters of a mile broad, and is large enough to contain from 40 to 50 ships; and that the shore about it (except the Down) being level with the water, the same is as convenient as at St. Johns, for building of stages and flakes for curing and drying the fish. This Harbour, with those of Caplin Bay and Aquafort (lying about a

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mile from it) and Firmoose, about a league distant, may contain several hundred sail. That Ferryland excells all other harbours in plenty of fish and bait, which come earlyer thither by a week or 10 days, than to St. Johns, where they are forced to go some distance for the same. That the entrance into Ferryland Harbour is safe and secure : there are indeed some winds which make a high sea ; however 'tis not dangerous by reason there are no rocks there. The streight in the said entrance into Ferryland is much shorter than that into St. Johns Harbour ; into which last mentioned harbour it is difficult to enter with certain winds, unless assisted by the tow or the grapple ; and very often ships have lain there 48 hours before they could gett in. Lastly Ferryland being so advantageously situated, it may be fortified at a much less expence, than any other place in Newfoundland, and will secure the inhabitants and their effects in the winter if they retire thither, there being ground enough, if ducly parcelled out, to contain seven or eight hundred families ; and it will also protect (with a good garrison there) the harbours of Firmoose, Caplin Bay, and Aquafort from any attempts of the enemy by land. As to St. John's, the harbour is capacious ; but the late Fort there was not capable of protecting the inhabitants houses, and the stages, by reason that the same were scattered up and down, with several hills and vallies between them and the said Fort ; nor cou'd it by reason of its heighth and distance defend the entrance of the harbour, or the ships or boats that fish there, besides that it was commanded by two adjacent hills. Captain Vane, the late Ingineer there, is of the same opinion, and therefore proposed the building of a Fort at another place, called the Admiral's Rock, but we are informed by Capt. Moody and Mr. Cummins, who has lived there many years, and lately come from thence, that the Admiral's Rock is a quarter of a mile further distant from the entrance of the harbour than the place where the late Fort stood, and wou'd therefore be of no protection to that harbour or the inhabitants. For the foregoing reasons, Ferryland is generally agreed to be the most proper place to be fortified. Having lately received answers from Captn. Aldred, to the heads of enquiry given him the last year, we humbly lay before your Majesty a state of this year's fishery, with a comparison between this and the two preceeding years. Whereby it will appear how much this beneficial trade has been increased this year, notwithstanding the discouragement it has lain under, since the destroying of St. Johns Fort, and we shall insert the following calculate of the product of this year's fishery, vizt. :—

The fish carried to foreign markets is 137,226 quintals ;

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which at 15s. per quintal comes to £102,919 10s. The train oyl is 692 tuns ; which at 15s. per tun amounts to £10,380. So that the profit arising to this Kingdom is £113,299 10s.

We have received a Memorial from the inhabitants of St. Johns (*v. No. 511 iii.*), which we humbly conceive may be proper for your Majesty's consideration, when your royal pleasure in relation to the fortifying of Ferryland shall be known. Several abuses which continue to be committed there, contrary to the directions of the Act *to encourage the trade to Newfoundland*, are as follows. (i.) The inhabitants continue to rind the trees. (ii.) The fishing Admirals are very negligent in seeing the rules and orders concerning the regulation of the Fishery duly put in execution. And they do not keep journals of the Fishery, which they are required to do, as likewise to transmit copies thereof to your Majesty in Council. These offences have been committed in contempt of the Law, in regard there is no particular penalty upon the offender, or reward given to the prosecutor by the said Act, and the like may still be continued to the great prejudice of that fishery, unless prevented by a due execution of the law, in punishing such persons as shall for the future offend therein. Tho' no particular penalty is mentioned in the foresaid Act, yet according to the opinion of Sr. James Mountague, if any person shall offend against an Act of Parliament, requiring or prohibiting the doing of anything, he may be fined at the discretion of the Court, upon being found guilty on an indictment or information, wherefore we humbly offer that the Commodore of the next year's convoy have a commission to command at land during his stay there, and that he be fully impow'ed thereby, to redress and punish all such abuses or offences as shall be committed at Newfoundland, contrary to the said Act, in such manner as the same have formerly been or lawfully may be redressed or punished, according to the known usage or custom of that place. And that in all other cases not to be redressed there, he be strictly required to inform himself, whether the several directions and provisions in the said Act, particularly those relating to the complements of Green men or Fresh men, as likewise the keeping of journals by Admirals of harbours, be duely observed and complied with ; and if he shall find they are not, that then and in such case, he be required to transmit to one of your Majesty's principal Secretarys of State, and to your Commissrs. of Trade and Plantations the names of the several persons so offending, with a particular and exact account of their respective offenses, and how proved, to the end such offenders may be proceeded against, and punished here, according to Law, in such

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manner as was humbly proposed by our representation, May 19, 1708. We begg leave further to represent that Commodore Aldred informs us that considerable quantities of European goods, as wine, brandy, fruit, oyle, linnen, etc. are carried directly to Newfoundland in British ships from Spain, Portugal, and Italy ; which goods are truck'd at Newfoundland with the masters of New England ships, for tobacco, sugar, and other enumerated goods, and are then carried to Portugal and other foreign markets in the Streights. Of this illegal Trade we have already complained, but do not see how it can be prevented, otherwise than by an officer to be appointed by the Commissioners of your Majesty's Customs to reside there ; as likewise by erecting an Admiralty Court for that purpose as formerly proposed ; and we hope the service to be performed may answer the charge of such establishments. *Autograph signatures.* 12 pp.

558. ii. Account of ordnance and boatswain's stores supplied out of H.M. ships in Newfoundland by order of Capt. Joseph Taylor, H.M.S. *Litchfield*, 1709. 4 pp.

558. iii. Copy of address of House of Commons to the Queen, relating to the Fishery and Trade of Newfoundland, March 31, 1708. 1 p.

558. iv. Return of Newfoundland Fishery for 1708, 1709, 1710, *Totals* : Ships, 1708, 97 ; 1709, 97 ; 1710, 93 ; Men belonging to the ships, 1709, 985 ; 1710, 2802 ; Fishing ships and boats, 1708, 526 ; 1709, 388 ; 1710, 518 ; Quintals of fish made, 1708, 135,934 ; 1709, 90,364 ; 1710, 172,528 ; Quintals of fish carried to market, 1709, 80,600 ; 1710, 137,226 ; tuns of oil made, 1708, 772 ; 1709, 503 ; 1710, 692 ; inhabitants, 1708, 2174 ; 1709, 1883 ; 1710, 2480. 1 large p. [*C.O.* 194, 22. Nos. 79, 79 i.-iii. ; and (without enclosures ii. and iii.) 195, 5. pp. 177-191.]

Dec. 18. **559.** Capt. Moody to the Council of Trade and Plantations. Recommends the fortifying of Ferryland rather than St. Johns. *Signed*, J. Moody. *Endorsed*, Recd. Read Dec. 18, 1710. 2½ pp. [*C.O.* 194, 4. No. 146 ; and 195, 5. pp. 173-176.]

Dec. 19. **560.** Lord Dartmouth to the Board of Ordnance. Encloses following for their report as soon as possible. *Signed*, Dartmouth. Whitehall. *Copy.* 1 p. *Enclosed*,

560. i. Extract of Representation, Dec. 18, relating to the building of a Fort at Ferryland. 2½ pp.

560. ii. Reasons offer'd by Mr. Vane and others in favour of building a fort at St. Johns, rather than at Ferryland. *Copy.* 2 pp.

560. iii. Reasons offered by Capt. Moody and others in favour of Ferryland. *Copy.* 1 p. [*C.O.* 194, 22. Nos. 80, 80 i.-iii.]

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Whitehall.

**561.** Council of Trade and Plantations to Lord Dartmouth. Further Representation on the case of Charles Arrabella (*v.* Dec. 9). We can obtain no further information, except from Richard Love, who added that but one witness was produced at the trial, a carpenter with whom Arrabella had some difference not long before. The blasphemous words whereof Arrabella was found guilty were spoken in a great passion occasioned by the spilling of some scalding pitch upon one of his feet. They were the only blasphemous words with which he was charged.

By an Act past in Maryland, Oct. 30, 1704, to punish Blasphemy, for the first offence the offender is to be bored through his tongue and fined £20 sterl. to H.M. towards the defraying the County charge where such offence was committed, or if ye party hath not an estate sufficient to answer that summ, then to suffer six months imprisonment, which latter part of ye penalty being in the disjunctive, the said Charles Arrabella in having been bored through the tongue and lain in prison six months (and more) has thereby fully suffered ye penalty of the Law for such his offence ; it being as we presume a mistake in the petition when 'tis said that he was fined £20 and sentenced to remain six months in prison, so that his being kept in prison after the expiration of the said six months seems to be on account of the charges of prosecution, and of the maintaining him during his imprisonment. The premisses considered, if H.M. shall judge him a fit object of her royal compassion and shall be graciously pleased to order that he be released out of prison (whereby the foresaid charges of prosecution and of his maintenance while in prison will fall upon the County) we have nothing to object thereto. [*C.O.* 5, 721. *No.* 10 ; and 5, 727. *pp.* 211–215.]

Dec. 20.

Craven House.

**562.** Warrant from the Lords Proprietors of Carolina to the Receiver General of South Carolina, for the payment of £160 to John Griffith, Clothier, Execr. of James Griffith, for 4 years salary due to the said James Griffith as Secretary to our Board here in London. *Signed*, Craven, Palatin ; Beaufort, Maurice Ashley, John Colleton, John Danson. [*C.O.* 5, 290. *p.* 5.]

Dec. 20.

Custome-house,  
London.

**563.** Mr. Carkesse to Mr. Popple. *Encloses following in reply to Dec. 11–13th.* But as to the bonds taken for the payment of the duties on prize goods at Jamaica, etc., there is no regular accompt here. *Signed*, Cha. Carkesse. *Endorsed*, Reed. Read Dec. 21st, 1710. *Addressed.*  $\frac{3}{4}$  *p.* *Enclosed*,

563. i. Account of prize goods imported into the Port of London from Jamaica, Midsummer, 1708–Nov. 20, 1710. Total duties paid on same—£6972 11s. 6d. *Signed*, Wm. Waterson, Coll., E. Rumbold, Sr. G. *Endorsed as preceding.*  $1\frac{1}{2}$  *pp.*

563. ii. Account of prize goods imported into Bristoll from Jamaica, Michaelmas, 1708–1710. Duties on same, £11,678. *Signed*, Tho. Andrews, Horatio Mitchel, Geo. Richardson. *Same endorsement.* 1 *p.* [*C.O.* 137, 9.

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*Nos. 24, 24 i., ii. ; and (without enclosures) 138, 13. pp. 308, 309.]*

Dec. 23.  
Whitehall.

**564.** Mr. Popple to Mr. Carkesse. Tho' there be no regular account of the bonds taken in Jamaica (*v.* Dec. 20), yet the Council of Trade and Plantations desire that you would let them have a copy of such account as has been transmitted, *etc.* [*C.O.* 138, 13. *pp.* 309, 310.]

Dec. 23.  
Whitehall.

**565.** Mr. Popple to Richard Harris. *Encloses* scheme of the Royal African Company for carrying on the African Trade, for his and other separate traders' observations thereupon. [*C.O.* 389, 21. *pp.* 372, 373.]

Dec. 26.  
Bermuda.

**566.** Lt. Governor Bennett to Lord Dartmouth. *Repeats* Aug. 30. This country has been very sickly for these three months last past, people being taken with a pain in their head, or side, then in the stomach, and generally killed in five days. *Congratulates* Lord Dartmouth and *refers* to Mr. Jones' charges against himself, *etc.* *Signed*, Ben. Bennett. *Endorsed*, R. May 28, 1711. *Holograph.* 4 *pp.* *Enclosed*,

566. i. Duplicate of No. 374 i.

566. ii.-viii. Duplicates of Nos. 567 i.-vii.

566. ix. Copies of Mr. Creagh's libel and appeal in the case of the *St. James*, and (*v.* Aug. 30) of the answer of the Judge of the Admiralty Court, William Outerbridge, and of the Deputy Register, William Milborne, thereto. Nov. 1710. Certified by Col. Bennett. 9 *pp.* [*C.O.* 37, 28. Nos. 6, 6 i.-ix.]

Dec. 26.  
Bermuda.

**567.** Lt. Governor Bennett to the Council of Trade and Plantations. *Encloses* duplicates of Aug. 30, and of papers enclosed in letter of July 5, which miscarried. The copies of proceedings in the Court of Admiralty in part answers your Lordps.' letter of Jan. 19. As for the accounts of stores and fortifications therein mentioned, as soon as I heard my packts. had miscarried, I ordered the Capt. of the Castle and Forts to bring in the expence of powder and ammunition, June 1, 1709-1710, that I might add that year to what is now preparing, for those accounts sent and taken went noe further than June 1st, 1709. The reason they could not be compleated to send by this conveyance is for want of clarks to transcribe, for the Depty. Secretary, Mr. Minors, has not been capable of officiateing for above these sixe months, and my private Secretary much longer, and there is but one Clark in the Secretary's office to dispatch daily business, and prepare transcripts for me to send to your Lordships and Secretary of State ; sometimes assistance is to be had but not to be depended on, and therefore I hope your Lordps. will not impute anything to my neglect, or blame me for what is impossible to be helpt, for I spare noe pains nor loose noe time in the faithfull and carefull discharge of my duty, when my health permitts me, which till of late I never complain'd for the want of.

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The cause between H.M. and John Hilton in the Court of Exchequer stands as it did, I haveing made all possible enquiry for further discovery, but can find nothing out, but I verily believe more mony was found than owned. I return your Lordps. my most humble thanks for the promised justice in relation to Mr. Jones, which I never in the least disputed, and doubt not but when all is explain'd, your Lordps. will be sensible of my injurys, and how my ungenerous enemys have supported their complaints by barbarous allegations without any regard to truth, *etc.* I shall now again answer your Lordps. of Feb. 9, (being the last letter I have reed.) relateing to an information of a clandestine and illegall trade carryed on by severall persons here between these islands, Curacoa, and St. Thomase. I have pursuant to your Lordps.' comands sent for and examined in Council all the Dickinsons, Gilberts, (there being not one Gilbure inhabiteing in this country) Hensons and Dorells that are or were sea-faring men, but they all utterly deny they were ever guilty of such clandestine tradeing, soe that I can't find any handle or circumstance to prosecute them on; if the informer had incerted Xtian names, it might have given some light, or at least occasioned a more positive charge: pardon me my Lords if I suspect the informer to be a prejudiced malicious person to this country and Governmt. by his possitive asserting in his last article what I know he cannot make appear, for first he affirms Curicoa is never without Bermuda vessells, which must be false, for this country vessells very seldome goe from hence thither, but in January and May, the first is the season for cabages, the other for onions, which they carry with some palmeto or cedar ware to make up a cargo, which when disposed off, they either goe to Bonire (an Island belonging to the Dutch near Curicoa) or the Bohama Islands to gett a load of salt, and then return hither, and are seldome soe long as ten weeks in doeing this, and as I am told few of our vessells stay longer than fourteen days in Curicoa, soe that there cant be always Bermudeans in that port, and as for the inhabitants haveing their clotheing from thence, neither can that be, for if any clandestine managemts. have been used, it must been only linnen, for woollen is not to be had there, but I assure your Lordps. greater care can noe where be taken to prevent and detect such practices than here. As for this country vessells being commonly hired to carry sugar from the Carribbe Islands to Curicoa, it's what I never heard before, and doe believe cannot be made appear. That Bermuda vessells carry provisions to Curicoa and St. Thomas is owned, but not from hence, nor does those provisions belong to Bermudeans, but others to the Northward, for our vessells goes from hence to New York, Pensilvania, *etc.*, on the Continent to look for freight, and are sometimes loaded with bread and flower to those places, and are cleared by Governmt. accordingly, therefore I presume the Masters of vessells doe not amiss in promoteing their owners interest by takeing freight to any place where by lawful clearings they are impowred to goe. But I have often wisht that trade could be stopt, and long since made a Representation to your

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Lordps. concerning it, and that thereby H.M. enemys were supplied with provisions, but your Lordps. making noe return, I knew not what more to doe than when any such vessell in her passage on occasion to touch in here, but to strictly examine their clearings, which I always found according to forme and custome, as if bound to any of H.M. Plantations in the West Indies. *Refers to enclosures.* This country has been very sickly for abt. three months last past, people being taken with a pain in their head and side and then in their stomach and generally kills in five dayes. *Signed, B. Bennett. Endorsed, Recd. 14th, Read 17th May, 1710. Holograph. 5 $\frac{3}{4}$  pp. Enclosed,*

567. i. Proceedings in the Court of Admiralty, Bermuda, against the sloop *Margaret*, condemned for illegal trade. March 12 and 15, 1708. *Endorsed, Recd. May 14, 1710. Copy. 6 pp.*

567. ii. Proceedings in the Court of Admiralty, Bermuda, against the brigantine *Industry*, condemned for illegal trade Feb., 1709. *Endorsed as preceding. Copy. 25 pp.*

567. iii. Proceedings in the Court of Admiralty, Bermuda, against the French ship *Three Friends*, condemned as lawful prize, Nov., 1709. *Same endorsement. Copy. 5 pp.*

567. iv. Proceedings of the Court of Admiralty, Bermuda, Dec., 1709, at the condemnation of three Spanish launches taken as lawful prize. *Same endorsement. Copy. 5 $\frac{1}{2}$  pp.*

567. v. Proceedings of the Court of Admiralty, Bermuda, Sept., 1710, at the condemnation of the sloop *Isabella* for illegal trade. *Same endorsement. Copy. 14 pp.*

567. vi. Proceedings of the Court of Admiralty, Bermuda, July, 1710, at the condemnation of the sloop *Diligence* as lawful prize. *Same endorsement. Copy. 5 pp.*

567. vii. Proceedings of the Court of Admiralty, Bermuda, Aug., 1710, at the condemnation of the sloop *Happy Return* for illegal trade. *Same endorsement. Copy. 16 pp. [C.O. 37, 9. Nos. 17, 17 i.-vii; and (without enclosures) 38, 7. pp. 6-14.]*

Dec. 26.  
Bermuda.

**568.** Lt. Governor Bennett to [*? Mr. Popple*]. *Duplicate of Aug. 30. Refers to enclosures, including affidavits in opposition to some false and scandalous reflections intended to be made to H.M. in Council relating to the trial of the sloop St. James, etc. Signed, B. Bennett. Endorsed, Recd. May 14, 1710. Holograph. 4 pp. Enclosed,*

568. i. Proceedings of the Court of Admiralty, Bermuda, July, 1710, at the condemnation of the sloop *St. James* for having contraband goods on board. *Same endorsement. Copy. 26 pp.*

568. ii. Deposition of Wm. Outerbridge, Judge of the Court of Admiralty, Bermuda. *Denies (to following) that he was concerned in the privateer Rose which seized the St. James, and that he refused to take affidavits or grant*

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appeal, etc. The Governor directed him to act according to the Act of Parliament, etc. *Signed*, Wm. Outerbridge. *Copy*. 3 pp.

568. iii. The Libel and Appeal of David Creagh in his own right as well as for the other owners of the *St. James*. v. *preceding*. *Copy*. 6 pp.

568. iv. Deposition of W. Milborne. Creagh (v. *preceding*) was never denied any transcripts of records in the Secretary's office. *Signed*, Wm. Milborne. 3 pp. Nos. ii-iv. *endorsed*, Recd. May 14, 1710. [C.O. 37, 9. Nos. 18, 18 i-iv.; and (without enclosures) 38, 7. pp. 14, 15.]

Dec. 27.

**569.** A view of Canada taken by Major John Livingston, with accot. of fortifications and number of men. *Totals*: *French*, 4070. *Indians*, 830; *Guns*, 145; *patereros*, 22.

There is in Quebeck Town 250 men of ye Melitia, and 150 soldiers in ye King's pay, two batteries in ye lower town, the westernmost has a street to ye northward of it=11 guns. About 60 yards off N.E. at ye River side, 1 gun. About 100 yards farther N. at ye River side is ye other battery, 6 twenty-four pounders, which are ye biggest in ye town. Upon ye hill to ye northward of ye Bishop's house lies a mortar alone. About 200 yards N.N.W. turning ye Point to ye little River in ye Priest's Garden a brass mortar and 5 guns. As you goe round to ye hospitall along the River, 3 guns. On the right hand of ye way going down to ye Intendant's 5 guns next ye little River. A little farther along said River, just by ye Intendants, 2 guns. And as you turn up, at ye Intendant's, there is a gate, and a little above yt. gate is 3 guns west, and a small blockhouse upon ye works. And 50 yards farther S.E., as you goe up the Hill, is a level peice of ground, and another gate, and a little further up the hill is a small watch house on ye works, and in it is 3 guns. And from thence till you come to ye stone wall, there is 2 or 3 halfe moons, one within another, and 2 guns course S.E. And on ye top of ye Hill, in ye stone wall is 6 guns, and a gate in sd. wall. About 50 yds. within in sd. wall N. is a square place made of bricks, and a house in ye middle of it, weh. I call a magazine and in it 5 guns. And N.W. from this square there is a windmill and a small battery of 5 guns, and a little further N.N.W. 2 guns. And along ye River at ye stone wall upon the hill there is a blockhouse, I saw no guns in it, and further N.E. upon ye hill at ye top of it there is work hove up, and stockadoes, till you come to ye Fort, where is 17 guns planted, against ye River, and 11 patereroes, in this place ye Governor lives. As you goe into ye Fort there is 11 guns planted, and over ye Little River at Bone Porte is 2 guns. *By information*:—Upon ye Island of Orleans there is 300 families and can raise about 400 men. At Shateresha 5 guns near Cape Diamond. At Shateresha, Sharleboo at Bompre about 400 men all melitia. This Island of Orleans lyes about a league below Quebeck, and Shateresha 7 leagues on ye N.W. shoar; Sharleboo at Bompre on sd. shoar near to Quebeck all inhabited. Down ye River of Quebeck 15 leagues at River

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dehu and Dormont, weh. is on ye sd. side of sd. river about 50 families. At Lerett which makes ye Little River of Quebeck about 4 leagues from sd. town, is an Indian town, about 50 men. Of ye Nation of Orquanshaws, which inhabitt all along ye great River of Quebeck, about 70 men. On ye S.E. side of ye River over against Quebeck, of ye stragling inhabitants, from the River Delesolier to ye River Deleiu, which is 18 leagues, there is about 70 men. From Quebeck to a village called Ponta Tromble is 7 leagues, ye inhabitants settled along ye River, including ye village about 160 men by observation. From Ponta Tromble to Port Nuff (= ? *Neuve*) is 7 leagues, along ye River is a small fort, ye inhabitants about 40 men as you goe along. About 3 leagues farther a village called Gronden, about 70 men. Two leagues farther a seigniory called St. Ann, where is about 40 men. And 2 leagues farther a village called Shamplin, about 90 men. Two leagues farther a village called Belscank, about 100 men. And from thence to Troy River, which is 4 leagues along sd. River about 70 men. At Troy River, which is 30 leagues above Quebeck, a place stockadoed in, about 200 yards long, and near ye same breadth, in which is severall housen, and is ye Governor's residence, is 7 guns, 80 soldiers, and about ye same number of inhabitants. From Troy River to a place called St. Francoise, weh. place lyes on ye S.E. part of L. St. Peer, about 40 inhabitants up sd. river. And about 2 leagues farther up, an Indian fort called St. Franswa = ? *Francois*), 260 men. From St. Franswa to Sorrell is about 4 leagues to ye fort in ye mouth of Shamblee River, where is 40 soldiers, and about 30 inhabitants. Up ye River Shamblee, about 18 leagues to ye fort, is no inhabitants. From Sorell by way of St. Toer, Countercure, Verseer, and severall other seigniories, wh. have small forts, two leagues ye one from ye other, along the east side of Quebeck River up to Longolia is 18 leagues, for ye most part inhabited along ye River side, about 300 inhabitants. From thence cross ye woods 5 leagues course S.E. and by E. upon ye River Shamblee is a stone fort about 16 foot high, and as I guess about 80 yds. one way and 50 ye other, each corner a bastion about 20 foot out, 6 great guns, 100 soldiers, and about 20 inhabitants, stands at ye foot of the riplings on ye N.W. side of ye River. From Longolia to Laparee de Muda Ane, which lies up Quebeck River, is 4 leagues. There is a fort at sd. villiage with 4 guns but out of repair, and by information 100 inhabitants there and 20 Indians. From thence along sd. River 2 leagues an Indian fort called Nonoh-nowagoo, 250 men. There is some small force more up sd. River, which I could not gain particular information of. From Troy River along ye N.W. side of ther Great River to River De Lu, and so to ye end of ye Island of Mount Royall, weh. is 23 leagues, stragling inhabitants about 200. From ye N.E. part of Mount Royall Island to ye Town of Mount Royall (including the villiage of Ponta Tromble, where there is a small fort of stockadoes) being 7 leagues all ye inhabitants, including some of ye Islands of ye Great River are about 400 men. At the town of Mount Royall, which is all stockadoed round with cedar stockadoes, about 16 foot high, and bastions ye length of 1400

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yds. and 34 yds. wide, 26 guns, 11 patereroes, 280 officers and soldiers, 300 inhabitants. From thence to ye S.W. part of ye Island, weh. is 10 leagues inhabited scattering abt. 150 men. About 3 leagues N.W. from Mount Royall an Indian fort called Canowsadago or L'Mountin, where is 200 Indians. A stone forte at Codroque, wh. is 80 leagues from Mt. Royall, up ye River called Frontenack, at ye mouth of ye Lake called Codroque, where is 40 soldiers, as I guess about 8 guns, no inhabitants. [C.O. 42, 13. No. 7.]

[1710.] **570.** Lord Archibald Hamilton to Lord Dartmouth. *Refers to 22nd Article of his Instructions.* The present Governor, Council and Assembly of Jamaica having lately represented to the Queen the discouragements that the privateers and other inhabitants of that Island seem to lye under upon account of some clauses in the Act *for the encouragement of trade to America*, and particularly by reason of the high duties lately imposed on prize-goods *etc.*, it would be very encouraging to them, if their new Governour could, by a letter or any other warrant whatsoever, be authorized to signify to them (upon his arrival at Jamaica) that there was a design of laying that matter before the next Session of Parliament, in order to redress such part thereof as, upon examination, will appear to be truely grievous.  $\frac{3}{4}$  p. [C.O. 137, 51. No. 26.]

[1710.] **571.** Copy of an Act of Jamaica *for the better settlement of lands.*  $1\frac{3}{4}$  pp. [C.O. 137, 51. No. 34.]

1710. **572.** Instructions of Robert Lowther, Govr. of Barbados. [Cf. 31st July, 28th Aug. C.O. 5, 189. pp. 19-65.]

[? 1710.] **573.** Extracts of letters from Cols. Dudley, Nicholson and Vetch concerning the proper season for the expedition to Quebec.  $1\frac{1}{2}$  pp. [C.O. 5, 9. No. 63.]

1710-1714. **574.** Account of subsistance of the Palatines at New York (chiefly 1710). Names and details. [C.O. 5, 1230. pp. 1-217 and enclosure; and 5, 1231. pp. 1-157].

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**575.** Mr. Secretary Boyle to [*? Lord Dartmouth.*] *Encloses following. Signed, H. Boyle. 1 p.*

575. i. Governor Dudley to Mr. Secretary Boyle. Nov. 15, 1710. Since the advice of my Lord Sunderland's laying down the office of the Secretary of State to whom I was by H.M. commands directed to address my letters and having yet no farther signification of H.M. pleasure, allows me humbly to address your honour, *etc.* Since my last to my Lord Sunderland, I have received only two letters from his Lordship, the first of April 17th, 1710, commanding the putting forward the Expedition to Port Royall *etc.*, which I have in all poynts obeyed, and as the last summer all the Provinces stood in armes four months expecting H.M. fleet and forces for the reduction of Queebeck and Montreal, which was diverted by greater affayrs, but upon the humble application of the congress of H.M. Governours and the address of the Assemblys, H.M. was pleased to revive the matter, *etc.* *Announces* fall of Port Royal. *v. C.S.P. Oct., 1710 etc.* If the warr continue and H.M. shall be pleased with a proportionable force to send to Queebeck and Montreal, and it should please God to succeed our forces for the reduction thereof all the invaluable Naval Stores, fishery and lumber, sufficient for all Europe would be entirely in H.M. own hands. The other letter containd an Instruction from H.M. referring to Flaggs of Truce (*v. May 2, 1710*). I am very confident nothing of that nature has been practised here. I have sent but twice to Port Royal and once to Queebeck this whole warr for eight years past in very small and mean sloops to transport prisoners who alwayes have been strictly commanded to carry nothing but their own subsistance, and have alwayes been as strictly searched and examined by the officers, and alwayes reported to have nothing on board but what was necessary for their voyage out and home, and I am now out of any farther use of flaggs of truce by the reduction of Portroyal. The charge last year when we did nothing and the reduction of Portroyal this year have cost this Province £40,000, which added to their debts for the defence of the Frontier will leave them greatly in arrear, whilst Virginia, Maryland, Pensilvania, Jerseyes and New York are covered by these Northern provinces, and sit quiet from losses or charges, att which the people here take the umbrage of dissatisfaction which will appear by their

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Address, and which the people here have thought a good reason to give their Governour so little as will not support the figure of the Government, unless my own estate had been here to assist, however I am well rewarded by H.M. acceptance of my service. *Signed*, J. Dudley. 2 pp. [C.O. 5, 898. Nos. 3, 3 i.]

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**576.** Sir Thomas Laurence to the Council of Trade and Plantations. *Prays* for satisfaction for the arrears due to him on account of Ordinary licences in Maryland, and that H.M. will declare her displeasure at the illegal proceedings of the Council and Assembly therein. (v. March 14 and 30, 170 $\frac{9}{10}$  etc.) *Signed*, Thomas Laurence. *Endorsed*, Recd. Jan. 2, 17 $\frac{1}{11}$ . 1 $\frac{1}{2}$  pp. [C.O. 5, 717. No. 25 ; and 5, 727. pp. 221-224.]

[Jan. 2.]

**577.** Proposals for redressing the irregular proceedings, and for preventing the unnecessary delays in the Courts of Justice of Barbadoes. The law by which the Judges are appointed by the Governor with the consent of the Council to be repealed, it often happening that those appointed are unskilled in the law and the the creatures of the Governor. The Chief Judge to be appointed by commission from H.M., with 8 assistants, to hold two Courts of Common Pleas. instead of five etc. etc. *Endorsed*, Recd. Read Jan. 2, 17 $\frac{1}{11}$ . 11 $\frac{1}{2}$  pp. [C.O. 28, 13. No. 53.]

Jan. 3.

**578.** Ambrose Crowley to Arthur Moore, one of the Lords Commissioners of Trade *Encloses following*. I do beleive that the very drawbacks upon the unmanufactur'd iron and steel doth not amount to less than £3000 per annum in prejudice to H.M. Customs, and will be a growing evill. Have here also inclos'd you the objections the people of New England made in 1708, and the answers thereto. I need not tell you that it's England's interest to have New England and yt. Continent depending upon it. Where other nations can send iron and steel, it's highly necessary there should be a drawback, but in New England I think nothing ought to bee encourag'd in the manufacturing any commodities to the prejudice of Great Brittain. I am solicited by the rest of the trade to petition the Parliament this sessions, weh. with your approbation I shall do. *Signed*, Amb. Crowley. *Endorsed*, Recd. 4th, Read 5th Jan., 17 $\frac{1}{11}$ . 1 $\frac{1}{2}$  pp. *Enclosed*,

578. i. The case of the honest exporters of Great Brittain's manufactured iron and steel to H.M. Plantations and Collonies. In the first and second years of the late King William and Queen Mary, there was an impost laid upon the unwrought forreign iron and steel imported, whereupon the manufacturers of iron and steel in England complained, by reason 'twas a prejudice to them and an advantage to the forreign manufacturers, and for remedy the Parliamt. then encreased the duty upon imported manufactured iron and steel. To evade this duty, some selfish merchts. shipped great quantitys of manufactured iron and steel

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in Holland, brought the same to some westward port in Great Britain, there enter'd and reship't it for New England *etc.*, and receiv'd the custome again by a drawback. To remedy this a clause was inserted in the subsidy Act of 2nd and 3rd Anne, by which no drawbacks are granted on such reshipped manufactured iron and steel. To evade which clause great quantitys of unwrought iron and steel scantlings are still reshipped to the Plantations, the re-exporter drawing back the custom, by which means there are very great quantitys of iron and steel manufactured in America; espetically in New England, and, there being no drawback on the manufactured iron and steel exported, that manufactured in America has the advantage of what is manufactured in England to the extent of £15 15s. 9d. per ton. In New England they have coals in their neighbourhood cheaper than the smiths in London, and by reason of the great plenty of provisions and increase of people, they have at present more done in New England for an English crown than is in London, being encouraged by these advantages they have made most of their iron and steeled ware for these two years past, and much incommoded the Great Britain manufacturers by selling their iron and steeled ware to their neighbouring Colonies. It is therefore humbly hoped that there may be a stopp to the drawback of customes on forreign unwrought iron and steel as there is upon the manufactured, *etc.* 1 p. [*C.O.* 388, 14. Nos. 9, 9 i.; and 389, 21. pp. 400-404.]

Jan. 3.  
London.

**579.** Jeremy Dummer, jr., to Lord Dartmouth. Having been lately empower'd by the Governor, Council and Representatives of the Massachusetts Bay to be their Agent here, I have recd. instructions to represent to your Lordship severall matters in their behalfe persuant to the Addresses, which by the favour of your Lordshp's. introduction, I presented to H.M. The first thing is that Port Royall, now Annapolis Royall being happily reduced, the Province most humbly hopes and prays that H.M. will be pleas'd to consider that that Countrey was the ancient inheritance of her Ancestours and does of unquestionable right descend to her Crown; that it is a great defence to the Northern Colonies, and that the furs, fish and naval stores with which it abounds will render it of unspeakeable advantage to this nation; and that H.M. will fix her Royal resolution not to part with it, whenever it shall please God to send peace to Europe. They also pray for a free liberty to fish and whale off of that coast in all it's creeks, bays, harbours *etc.*, and to cure the fish on the shore; and also to dig and fetch seacoal from thence, which is found in great plenty there. They are encourag'd to ask this, not onely because H.M. was graciously pleas'd in Her Royall Instructions to assure those Governments that were assisting in the reduction of Port Royall that they should enjoy a priviledge of commerce *etca.*, but

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also because this liberty will very much redound to the advantage of this Nation. The freedom of fishery will inable the merchts. there to make good returns for the very great quantity of British manufactures continually imported; and the liberty of fetching coal will be a means to preserve the woods for H.M. service. There is another petition (which was in the addresses read to H.M.) that H.M. will in great compassion to Her Plantations on the Continent persue the happy success at Port Royall by forming another expedition against Canada. The reasons humbly suggested for this are the same with those already mention'd with relation to Port Royall with onely this addition that whereas there are numerous Indian Nations that are now supplied by the French with cloaths and other European manufactures, for which they give in exchange furs; Great Brittain will by the reduction of Canada secure this very valuable trade to themselves. And whereas there have been jealousies lest some of the Plantations on the Continent should in time come into the woollen manufactures, and so be less serviceable to the Crown, there will be no hazard of that here, Canada being a countrey so extremely cold, and the ground for halfe the year so cover'd with snow, and consequently unfit for the nurture of sheep, that it will be ever impracticable for them, whatever may be thought as to the more southern settlements. In summ, Canada with the savage Nations bigotted to their superstitions and devoted to their interest will be able notwithstanding the happy conquest of Port Royall to allarm all the English Continent, and even the Island of Newfoundland, (as we have lately had sad experience) and to carry on their wonted cruelties and depredations upon H.M. good subjects. So that no settled repose is to be expected till Canada (the American Carthage) is subdued. Which if it be once effected, the Brittish Empire in America will be secure and flourishing and the Crown of Great Brittain may in time be as opulent and powerfull in the West Indies as the States of Holland are in the East. The advantage of which to this Nation is, that this being the center of their trade, and the Magazine where the wealthy American merchts. covet to make their hoards, it must follow of course that the wealth of the Plantations is the riches of Great Brittain, and that as the former thrive and prosper, the latter must increase with 'em in a double proportion. And for the expence of this expedition to ease the charge of the Crown, not onely the Massachusetts (tho' greatly enfeebled by bearing in a manner the whole weight of the French and Indian war in those parts) will furnish their Quota, but New Hampshire, Connetticutt, Rhode Island, New York with the Jerseys, Pensilvania, Maryland, and Virginia, who are all interested in it, will without doubt upon receiving H.M. instructions in that behalfe, chearfully contribute theirs. 2 $\frac{1}{4}$  pp. [C.O. 5, 9. No. 48.]

Jan. 3.  
Whitehall.

**580.** Mr. Popple to Mr. Attorney and Mr. Solicitor General. H.M. having been pleased by Order in Council, upon an address from the General Assembly of Barbadoes, complaining of certain

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illegal proceedings of the Court of Grand Sessions in that Island, to direct the Council of Trade and Plantations to consider the same, *etc.*, they send you the inclosed heads, upon which they desire your opinion, and that you will add such further regulations as you shall judge proper to prevent irregular proceedings in civil and criminal matters. [*C.O.* 29, 12. *p.* 324.]

Jan. 3.

**581.** Separate Traders to the Council of Trade and Plantations. Reasons against the granting of an exclusive trade to the Royal African Company. *Argue that* planters will be more freely supplied with negroes and on easier terms by free traders *etc.* *Signed*, Rd. Harris, Hum. Morice, *for the separate traders to Africa.* *Endorsed*, Recd. Read 3rd Jan., 17 $\frac{1}{11}$ . 2 $\frac{1}{2}$  large pp. *Enclosed*,

581. i. A scheme for the more effectual carrying on of the African Trade by free traders. *Signed and endorsed as preceding.* [*C.O.* 384, 14. Nos. 3, 4 ; and 389, 21. pp. 386-398.]

Jan. 4.  
London.

**582.** Mr. Harris to Mr. Popple. *Encloses following.* "With it came a letter, that 'twas signed by some of ye Council, most of ye members of the late Assembly and all the considerable merchants, and if our Assembly had not been suddenly dissolved, it had been done by the whole body of the Island," *etc.* *Signed*, Rd. Harris. *Endorsed*, Recd. 4th, Read 5th Jan., 17 $\frac{1}{11}$ .  $\frac{1}{2}$  p. *Enclosed*,

582. i. Petition from the Planters of Jamaica to the House of Commons. Since ye laying open ye Trade to Affrica in 1698 the Island of Jamaica hath been better supplied with negroes by ye separte traders to Affrica than at any time before by the Affrican Company when exclusive, and ye numbers have often times been so large and this market so plentifully provided for that great quantitys of negroes have been yearly exported from hence to ye Spanish West Indies, and there sold for gold and silver. Many of petitioners (sending for their woollen and other manufactures from England) have fitted out and sent vessels from hence to ye coast of Affrica to furnish their own Plantations with negroes. The continuall supplies of negroes with which separte traders have afforded us at moderate prices since ye opening of this trade, has produced infinite advantage to this Island in respect of its productions, which have greatly added to ye improvement of navigation, ye increase of ye revenue of ye Crown and advancing ye ballance of trade of Great Brittain, Hereby ye former mischiefs and hardships of not having negroes enough for our Plantations, and being oblidg'd to buy them but of one seller only (ye Affrican Company's factor here) and to sell most of our Plantation commodities again to but one buyer (ye same person) at what price such buyer pleases has been by this liberty of trade wholly redress'd to ye great benefitt and encouragement of this Island. If ye Affrican Company should again

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obtain this trade in a joint-stock Company exclusive, as we are inform'd they endeavour at, under pretence of many groundless suggestions, petitioners with great reason fear yt. all ye same prejudice and inconvenience of a monopoly of this trade to Affrica so often complained of heretofore and wch. has been so greivous already to yr. Plantations will naturally return, and if granted will occasion ye ruin of this Island, ye loss of ye Spanish trade and ye decrease of Navigation. Wherefore petitioners humbly pray yt. ye trade to Affrica may be open and free to all ye subjects of great Britain to trade thither on equal terms in such manner as in your great wisdom you shall thinck fitt. *Signed*, William Brodrick and 58 others.  $1\frac{1}{2}$  pp. [C.O. 388, 14. Nos. 8, 8 i.]

Jan. 5. **583.** Council of Trade and Plantations to Lord Dartmouth. Whitehall. Enclose Address from New Hampshire, praying for the reduction of Quebec *etc.* to be laid before the Queen. *Autograph Signatures.* 1 p. *Enclosed*,

583. i. Address of New Hampshire (*v.* No. 491 xiv.) 1 p. [C.O. 5, 931. Nos. 8, 8 i.; and (*without enclosure*) 5, 913. pp. 306, 307.]

Jan. 5. **584.** Mr. Popple to Mr. Burchett. *Encloses* extract from Whitehall. Governor Dudley's letter Nov. 15, 1710 *q.v.* The Lords Commissioners of Trade and Plantations desire you to lay the same before the Lords Commissioners of the Admiralty for their consideration, whether it may not be proper to have a clause in some Act of Parliament for encouraging the importation of spars and boards from the Plantations, and as in the case of the other Naval Stores mentioned in the foresaid Act, what premium will be fit to be allowed upon such importation. [C.O. 5, 913. pp. 308, 309.]

Jan. 5. **585.** Lord Dartmouth to the Council of Trade and Plantations. Whitehall. Governor Hunter in his letters to me referring himself to what he had writ to you in relation to Naval Stores, I am commanded to desire you will let me know what account you have received fit to be laid before the Queen on this subject, and what improvements have been made as to Naval Stores, with your opinion what may be further done, for promoting that important service. *Signed*, Dartmouth. *Endorsed*, Recd. 5th, Read 8th Jan., 17 $\frac{10}{11}$ . 1 p. [C.O. 5, 1050. No. 4; and 5, 1122. pp. 203, 204.]

Jan. 6. **586.** H.M. Warrant to the President of the Council of Mary- St. James's. land for admitting John Dorsey to the Council. *Countersigned*, Dartmouth. [C.O. 324, 32. p. 52.]

Jan. 6. **587.** Mr. Popple to Mr. Carkesse. *Encloses* extract from Whitehall. Governor Dudley's letter, Nov. 15, 1710 *q.v.*, relating to contraband, for the information of the Commissioners of Customs. [C.O. 5, 913. p. 316.]

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Jan. 9.  
Whitehall.

**588.** W. Popple to W. Lowndes. The Council of Trade and Plantations have considered your letter of Dec. 9th (*q.v.*), relating to the high duties payable on prize goods at Jamaica and revis'd their letter to the Earl of Sunderland of May 16th. *Refers to correspondence with Mr. Clarkesse (Dec. 20, 23 etc.)* On perusal whereof, and consideration had of the several Representations from Jamaica and of what they have been informed by Planters and others now here, and the several instances that have been given in their letter to Lord Sunderland, whereby it plainly appears that should the captors be obliged to pay the said duties there will not remain a sufficient encouragement to them; the apprehension whereof has already been the occasion of most of the seamen's deserting the said Island: their Lordships are of opinion that the duties arising in pursuance of the Act *for the encouragement of the trade to America*, upon cocoa, sugars, indigo, snuff, tobacco, picmento, and other commodities of the growth of America, which are usually afterwards imported into this Kingdom and pay the full duties here, and also wines and brandies which are seldom sent from Great Britain, may reasonably be discharged of the sd. British duties; and the rather, because the said several commodities are upon importation into Jamaica, lyable to pay large customs towards the support of that Government. But in regard their Lordships do observe that in some of the said prizes, there have been taken several European commodities, such as wollen, linnen, iron, steel, and other goods, which by law ought only to be imported into H.M. Plantations in America from Great Britain; they are therefore of opinion that in cases where any commodities of the growth or manufacture of Europe, (wines and brandies excepted) or other commodities which have usually been sent from hence to the Plantations, are taken as prize, the same ought to remain charged with the said British duties, in favour of the Trade and Navigation of this Kingdom. [*C.O.* 138, 13. *pp.* 311-314.]

Jan. 9.  
Montserrat.

**589.** Extract from a letter to Col. Gledhil. On the 9th ultimo, Antego, the country all came in well armed, and was divided into 2 parties, who were commanded by Capt. Piggot and Painter, in order to kill the General, provided he would not give up his Commission which he refused; they forced about 70 of the Queen's troops, and broke open his chamber door, and shot him there, tho' it was beleived the wound of itself was not mortal. After that they broke his backbone, dragged him by the heels down the steps, suffering his head to fall from step to step, tore off his shirt, reviled him, and shot him in many places after dead, exposing even his private parts, and in short by all accounts I have heard, they used him barbarously and inhumanely; the Granadiers were most of them cutt off after they begged quarter. Poor Ayon whom you know both his honour and gratitude would not permit to relinquish his patron, was the only man in the chamber with him and killed Piggot, he afterwards had several shots thro' the body, but the last news we had from thence brings us the good news of his being in a fair way of recovery. The

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Lieut. General is since gone up, and all is hushed up, no enquiry made into anything, but all seems to be easy and quiet; There were 30 killed, and about as many wounded in that unheard of action. Lieut. Walsh was in the country, Capt. Piggot, Gervais Tourton, Francis Young were all that were killed of any note. The General was acquainted of it before, advising him as the Queen had superseded him, so they begged he would make them easy and leave the Island and a hair of his head should not be molested. If not they would make themselves easy. So that he had put all his affairs into a posture, sent for the Minister, took the Sacrament, and behaved himself with a great deal of bravery, alledging that as the Queen had given him a Commission, he would not part with it otherways than by sword and pistol in hand. *Endorsed*, Recd. Read March 9, 17<sup>10</sup><sub>11</sub>. *Copy.* 1½ pp. [C.O. 152, 9. No. 40 : and 153, 11. pp. 118-120.]

Jan. 9. **590.** Mr. Popple to the Postmasters General. *Encloses*  
Whitehall. extract from Lt. Governor Spotswood's letter, Nov. 14, 1710, (v. Oct. 24, 1710) relating to Mr. Hamilton. [C.O. 5, 1363. p. 245.]

Jan. 9. **591.** Mr. Popple to Mr. Carkesse. The Council of Trade and  
Whitehall. Plantations, being requir'd to lay before H.M. some matters relating to the improvement of Naval Stores, desire an account of Naval Stores imported Christmas, 1708-1710 *etc.* [C.O. 389, 21. p. 405.]

Jan. 9. **592.** Same to same. Desires an account of unwrought iron  
Whitehall. and steel exported to the Plantations annually from Lady-day 1702 to Michaelmas last *etc.* Encloses account of prize-goods entered at Jamacia. [C.O. 389, 21. pp. 405, 406.]

Jan. 10. **593.** Commission and Instructions to Charles Hart to be  
Secretary of South Carolina. [C.O. 5, 290. p. 6.]

Jan. 11. **594.** Lord Dartmouth to Lt. Governor Bennett. v. June 13  
Whitehall. and Dec. 15, 1710. Since the Council of Trade has lately sent to you several affidavits *etc.* relating to James Briggs, the first person mention'd in your letter, H.M. would have you proceed further in this matter as you shall find good grounds to do, *etc.* As to Anthony Kenty, H.M. is graciously pleased at your request to pardon him. And as to John Collins, John Smith, and Philip Casady, the other three involved in the same crime and for it condemned to dye, H.M. considering that you are best able to judge whether they have such a due sense of their crime and sorrow for the same as may induce you to believe they will not be guilty of the like for the future, in case of a pardon, and that the example in this case will not be of ill consequence for the future, leaves it to you to do therein as you shall judge best for H.M. service, and the safety of the Island, according to the power vested in you by your Commission. *Signed*, Dartmouth. [C.O. 324, 32. pp. 53, 54.]

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Jan. 12.  
Admiralty  
Office.

**595.** Mr. Burchett to Mr. Popple *Reply to Jan. 5.* The Lords Commissioners of the Admiralty having discoursed with the Navy Board, have no objections to the importation of such stores as Col. Dudley mentions, but as they cannot advise what præmium may be proper to allow in such case, so am I further to observe to you that the charge thereof ought not to be born by the Navy, but rather to be defrayed by the Customes or in some other manner; and that the Navy Board inform them they can buy the stores from the East Country much cheaper than those which have been already imported from the Plantations, the præmium paid for which hath been already very considerable, and no provision made by Parliament for defraying the same. *Signed, J. Burchett. Endorsed, Recd. 13th, Read 16th Jan., 17<sup>10</sup>. Addressed. 1 p. [C.O. 5, 865. No. 58; and 5, 913. pp. 317, 318.]*

Jan. 12.  
Whitehall.

**596.** Lord A. Hamilton's receipt for the new (silver) seal of Jamaica. *Signed, A. Hamilton. Endorsed, Jan. 12, 17<sup>10</sup>. ½ p. [C.O. 137, 9. No. 27.]*

Jan. 12.  
Customs house,  
London.

**597.** Mr. Carkesse to Mr. Popple. Encloses following in reply to Jan. 8. *Signed, Cha. Carkesse. Endorsed, Recd. 13th, Read 16 Jan., 17<sup>10</sup>. 1 p. Enclosed,*

597. i. Quantities of Naval Stores imported to England from H.M. Plantations and other Foreign parts, Xtnas 1708—1709. *Hemp*, rough, 166,990 cwt. (Russia 145,969, East Country 13,190, Germany 187, Holland 7643.) *Masts*, great, 1576 (Denmark and Norway 697, Sweden 305, New Engl. 174); small, 2277 (Denmark and Norway 2157, Sweden 101, New Engl. 19); middle, 1263 (Denmark and Norway 1192, Sweden 51, New Engl. 20). *Pitch and tarr* 2923 lasts, 4 barrels (Denmark and Norway 268 lasts, 5 barrels; Germany 2, 4; Holland 10 barrels; Russia 9 barrels; Sweden 2059, 6½; Carolina 359, 5; Jamaica 10 barrels; New England 207, 8; New York 7, 9; Virginia and Maryland, 15, 10.) *Rozin*, 494 cwt. 0 qr. 13 lb. (Spain 89. 2. 13, Carolina 2. 1. 14; New England 402. 0. 14.) *Turpentine*, 5848 cwt. 2 qr. 8 lb. Carolina, 39; New England 5332. 0. 6; New York, 399. 2. 2., Pensilvania 78. 0. 0. *Signed, Charles d' Avenant. 1 p. [C.O. 388, 14. Nos. 17, 17 i.; and (without enclosure) 389, 21. p. 418.]*

Jan. 12.  
Whitehall.

**598.** Council of Trade and Plantations to Lord Dartmouth. *Reply to Jan. 5.* We have appointed Mr. Dupré, Commissary of the Stores at New York, to attend us, and shall with all convenient dispatch transmit to your Lordship a state of that matter, to be laid before H.M., with our opinion what may be further done for promoting the produce of such stores in those parts. There are several other matters in Mr. Hunter's letters which we have likewise under consideration and do intend so soon as may be to

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lay an account thereof before H.M. for her pleasure therein. *Autograph signatures.* 1 p. [C.O. 5, 1084. No. 43; and 5, 1122. p. 237.]
- Jan. 15. **599.** Copy of the Establishment for Brigadier Handasyd's Regiment of Foot in Jamaica. *Totals* :—951 officers and men=£16,126 18s. 4d. per annum. *Endorsed*, Recd. Jan. 25, Read March 16, 17 $\frac{1}{11}$ . 1 p. [C.O. 137, 9. No. 33.]
- Jan. 15. **600.** Copy of the Establishment of Col. James Jones' Regiment of Foot in the Leeward Islands. *Total* : 834 officers and men=£14,520 18s. 4d. per annum. *Endorsed as preceding.* 1 p. [C.O. 152, 9. No. 45; and 153, 11. pp. 134, 135.]
- [Jan. 15.] **601.** Petition of Capt. John Walton to the Queen. Your Majesty hath severall Islands in America (called the Virgins) which for want of a representation to the Lords Commissioners of Trade have been so neglected that there hath not been any due and regular administration there and thereby many considerable advantages that might accrew to the Plantation Trade are not only lost, but great prejudice thereto doe likewise arise by reason that the Government of the said Islands hath not hitherto been settled. Petitioner was constituted Lieut. Governour of the said Islands, and endeavoured to suppress all clandestine trade, and did whatever else he apprehended for the service of the publick and the improvement and advantage of the said Islands, and as yet hath had no sallary or reward for the same. *Prays* H.M. to grant him the said Island or a Comission for the Government thereof and improvement of the same for the benefit of H.M. subjects in such manner and under such restrictions as to your Majesty in your great wisdom shall seem meet. *Subjoined*,  
601. i. Lord Dartmouth to the Council of Trade and Plantations. Whitehall, Jan. 15, 1710. H.M. is pleased to reffer this petition to the Council of Trade for their report, etc. *Signed*, Dartmouth. *The whole endorsed*, Recd. 10th, Read 13th Feb., 17 $\frac{1}{11}$ . 1 p. [C.O. 152, 9. No. 35; and 153, 11. pp. 98, 99.]
- Jan. 16. **602.** Mr. Noden to the Council of Trade and Plantations. *Prays* that an Act of Bermudas, Jan. 19, 1710, *impowering Richard Jennings to sell one share of land in Smith's Tribe* may be confirmed. *Signed*, Cha. Noden. *Endorsed*, Recd. Read Jan. 16, 17 $\frac{1}{11}$ .  $\frac{3}{4}$  p. [C.O. 37, 9. No. 14; and 38, 7. p. 1.]
- Jan. 16. **603.** Mr. Popple to John Pery, Secretary to the Royal African Company. Invites attendance of the Company to consider the scheme of the Separate Traders (Jan. 3) etc. [C.O. Whitehall. 389, 21. p. 417.]
- Jan. 17. **604.** Commission and Instructions to Col. Wm. Rhett to be Receiver General of South Carolina. [C.O. 5, 290. p. 6.]

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Jan. 17. **605.** Patent of the Lords Proprietors of Carolina constituting Craven House. and erecting a port upon the River Port Royal in Granvill County, Carolina, to be called Beaufort Town, with such jurisdictions, priviledges and franchizes as the sea-port of Charles Town, several merchants and inhabitants having applied to the Board to that effect on April 9, 1709, with a view to export of naval stores. *Signed*, Craven Palatin, Beaufort, Carteret, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 290. *pp.* 6-9.]

Jan. 17. **606.** Mr. Carkesse to Mr. Popple. *Encloses following, etc.* Customhouse, *Signed*, Cha. Carkesse. *Endorsed*, Recd. 18th, Read 19th Jan., London. 17<sup>10</sup>/<sub>11</sub>. *Addressed*. 1 *p.* *Enclosed*,

606. i. Account of foreign unwrought iron and steel exported to the Plantations, Christmas 1701—Michaelmas, 1710. *Totals*: Iron, 1959 tons. Steel, 707 tons. 1 *p.* [*C.O.* 323, 7. Nos. 6, 6 i.; and 324, 9. *pp.* 448, 449.]

Jan. 18. **607.** Mr. Secretary St. John to the Council of Trade and Whitehall. Plantations. *Encloses following*, that the necessary directions may be given. *Signed*, H. St. John. *Endorsed*, Recd. Read Jan. 19, 17<sup>10</sup>/<sub>11</sub>. 1 *p.* *Enclosed*,

607. i. Address of the House of Commons to the Queen, that the Commission constituting Trustees for distribution of the Charity collected for the Palatines, and all papers relating to the bringing over and subsisting them may be laid before the House. *Signed*, Paul Jodrel. Cl.Dom. Com. *Copy*.  $\frac{3}{4}$  *p.* [*C.O.* 388, 76. *pp.* 109, 110; and 389, 37. *p.* 1.]

Jan. 18. **608.** Governor Handasyd to the Earl of Rochester, Ld. Jamaica, President. Since my last of Dec. 4th, Mr. Percival, Attorney St. Jago de la General dyed, and Mr. Brodrick is appointed to succeed him Vega. dureing the Queen's pleasure. The applications that have been made to me by some other persons for that employment, give me sufficient ground to conjecture, that endeavours may be used to supplant him by a patent from Engld. I find that his entire dependance is on your Lordship's favour *etc.* *Recommends* his confirmation as Attorney General by a patent under the Broad Seal, *etc.* *Signed*, Tho. Handasyd. 1 *p.* [*C.O.* 137, 51. No. 31.]

Jan. 18. **609.** Same to Lord Dartmouth. Recommends Mr. Brodrick, as Jamaica, *preceding*. *Signed*, Tho. Handasyd. 1 *p.* [*C.O.* 137, 51. No. 30.] St. Jago de la Vega.

Jan. 18. **610.** Lord Dartmouth to Col. Corbett. I am ordered by Whitehall. H.M. to acquaint you that she thinks your presence very necessary at Maryland, and that if it is not your intention to go thither very soon, the service will require that some other person be sent in your room. *Signed*, Dartmouth. [*C.O.* 324, 32. *p.* 55.]

Jan. 20. **611.** Col. Vetch to the Earl of Rochester. Congratulates Fort Annapolis his Lordship and asks for his patronage as in letter to Lord Royall in Dartmouth Jan. 22 *q.v.* *Signed*, Sam. Vetch. *Addressed*. 1 $\frac{1}{2}$  *pp.* Nova Scotia. [*C.O.* 5, 9. No. 87.]

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Jan. 20.  
Whitehall.

**612.** Mr. Sloper to Mr. Popple. *Encloses following. Signed, Wm. Sloper. Endorsed, Reed. Read Jan. 22, 17<sup>10</sup><sub>11</sub>. 1 p. Enclosed,*

612. i. Abstract of Muster-Rolls of the 4 companies at New York. Total effectives, 17 officers, and 388 men. 1 p. [C.O. 5, 1050. Nos. 10, 10. i; and 5, 1122. pp. 250, 251.]

Jan. 22.

Fort Annapolis  
Royall.

**613.** Col. Vetch to the Earle of Dartmouth (sic). I had the honour of your Lordship's bearing date August 31, which came not to my hands untill Dec. 20. I think myself happy in having so fair an opportunity at once to congratulate your Lordship upon H.M. and allys glorious successes in Europe and more particularly those in this American part of the world by the reduction of this place and the large and noble countrys of Accadie and Nova Scotia to her royall obedience, which will be extreemly advantageous not only to the American Colonys, but to the whole Empyre of Great Brittan both with regard to trade and dominion, but what must crown all is the reduction of that large country possesst by the French under the name of Canada large enough to forme four or five kingdoms as bigg as Great Brittan, which I hope the happy conjuncture of affairs in Europe will allow H.M. to enterprise next summer. *Congratulates his Lordship upon his accession to office.* As I had the honour to lay the scheme of the reduction of the above mentioned countrys before H.M. and Ministry, so I had the honour of being assured of being left Governour of that country, when it should please God to crown H.M. arms with conquest, what is already done (I hope) presages the accomplishment of the rest, when H.M. shall be pleased to undertake the same, and I doubt nothing but your Lordship in whose breast principally it lyes will be pleased to incertt such an Instruction to the Generall for that Expedition as their was to Generall Nicholson with regard to this place, and att the same time that I may [*be*] honoured with such a Commission as I had the last summer to have the second command. *Refers to Major Forbes' account of the Fort (encl.1), and to General Nicholson for the politicall state of the country.* I think fitt to acquaint your Lordship of my having taken the title of Governour for her Brittanick Majesty of all the territorys of Accadie and Nova Scotia, though they are not yett wholly reduced, this I assure your Lordship I doe not out of the least vanity, but to assert H.M. sovereignty to the same, and as for that of Generall and Commander in Chief of H.M. forces, I have the honour of H.M. royall Commission for the same bearing date in Apryle last in the absence of Generall Nicholson the inhabitants within the banlieu which containts a league round the Fort have all taken the oath of alledgeance to H.M. *Encloses list.* All the rest of the inhabitants and [*=? are*] absolutly at H.M. discretion nor have I given them any tearms of protection though they have frequently applyed for it and offered to take the oath of alledgeance, but I told them I could give them no tearms untill H.M. more particular orders, only that if they remain'd in peace, I should not disturb them

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during this winter, and hoped in the spring to have H.M. particular orders about them, this uncertainty of their circumstances keeps them still in a ferment, and makes them hinder the Indians altogether from coming in and keeps them at warr with us, to that degree that they have severall times threatned to dispossess us of the fort before spring, this together with the ramparts being totally fallen down by the excessive rains oblidges the garrison to so hard duty that the souldiers are every third night upon duty besides their fatigue of working att the building of barracks. *Encloses account of expenses*, for which I have drawn bills on the Treasury, which I hope your Lordship will advise punctuall payment of, it having been done with all possible frugality and being absolutly necessary to be done as must also the whole rampart in the spring to be repaired as the Engineer's more particular account will inform your Lordship and the ministry. As he is extreemly capable so he is indefatigably diligent, *etc.* I wrote to the Rt. Hon. Secritary Boyle about two months agoe (in whose province I was informed wee were) that besides the small briganteen left here by order of the Counsel of Warr a friggatt of forty gunns att least was verry much wanted here as early as possible in the spring not only to protect the coast and fishing trade from the insults of Martinico and Placentia privateers, but to be assistant in the reduction of the severall settlements along shoar, which will require both time and force to doe, and more especially if the inhabitants be to be transported hence, it will be absolutly necessary that the friggatts attending New York and Boston doe come here to assist in that service, otherways it will be impracticable, so I begg your Lordship will direct the Admiralty to order them here accordingly as H.M. shall resolve to dispose of the inhabitants, all which save such as will become Protestants, should in my humble opinion be sent hence to Martinico and Placentia, which will straiten these places with regard to provisions and not strengthen them much, being mostly women and children. I humbly begg from your Lordship H.M. particular commands with relation to all the premisses, and that as soon as possibly may for untill that be done wee can expect no peaceable possession here. Generall Nicholson, whose unpareleed zeall for H.M. service and that of his country and this British Continent hath rendred him so verry deserving att all hands will at more length informe your Lordship of the method to be taken with regard to transporting the inhabitants hence, which I doubt not your Lordship and the ministry will see cause to hearken to, *etc.* *Signed*, Sam. Vetch. 2½ pp. *Enclosed*,

613. i. The present state of the Fort of Annapolis Royall. (Jan. 15, 1711). *Description of fortifications and repairs needed.* *Signed*, F. Forbes. P.S. Jan. 25. The Governor hath given orders for cutting 4000 spars to renew the pallisadoes of the covered way, which we are under an absolute necessity to do with all possible dispatch, for securing ourselves, least the Indians and French here by the influence and assistance of their friends in Canada should make any attempt upon us, which wee

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have reason to expect, having advice that ther's come over from France to Quibeck a Lieut. Generall, 40 captans, and a great [*? many*] subalterns to command their inhabitants and Indians. *Signed*, F. Forbes. 3 pp.

613. ii. A list of the masters of familys who are inhabitants within the banlieu of Annapolis Royall who have taken the oath of alledgeance to H.M. conform to the Artickles of Capitulation. 57 names. *Signed*, Sam. Vetch. 1 p. [*C.O.* 5, 9. Nos. 84-86.]

Jan. 23.  
Whitehall.

**614.** Mr. Popple to George Granville, Secretary at Warr. The Council of Trade and Plantations desire copies of the establishment of the 4 independent companies of soldiers at New York, as also of the establishment of the regiment in Jamaica, and of that in the Leeward Islands. [*C.O.* 5, 1122. p. 259.]

Jan. 24.  
London.

**615.** Jeremy Dummer to the Council of Trade and Plantations. Duplicate of Jan. 3 to Ld. Dartmouth. *Signed*, Jer. Dummer. *Endorsed*, Recd. Read Feb. 5, 17<sup>10</sup>/<sub>11</sub>. 2½ pp. *Enclosed*,

615. i. Copy of Mr. Dummer's Commission to be Agent of the Massachusetts Bay. *Signed*, J. Dudley, Nov. 11, 1710. 1 p. [*C.O.* 5, 865. Nos. 60, 60 i.; and 5, 913. pp. 325-329; and 218, 218 i. pp. 6-11.]

Jan. 25.  
Whitehall.

**616.** Mr. Granville to Mr. Popple. Encloses copies of the establishments of the 4 independent companys at New York and of the regiments in Jamaica and the Leeward Islands. *Signed*, G. Granville. *Endorsed*, Recd. Jan. 25, Read March 16, 17<sup>10</sup>/<sub>11</sub>. 1 p. *Enclosed*,

616. i. Establishment of the 4 independent companies at New York=£7093 3s. 4d. per annum. *Same endorsement*. ¾ p. [*C.O.* 5, 1050. Nos. 16, 16 i.; and (without enclosure) 5, 1122. pp. 319.]

Jan. 25.  
Whitehal.

**617.** Mr. Popple to Charles Carkesse. The Council of Trade and Plantations enclose for the consideration of H.M. Commissioners of Customs an extract from Governor Cranston's letter Nov. 15, 1710, giving an account of the Collectors' exactions *etc.* at Rhode Island, together with the copy of an Act past in that Colony relating to officers' fees. [*C.O.* 5, 1292. p. 249.]

[Jan. 25.]

**618.** Abstract of papers referred to in Order of Council, May 11, 1710 (*q.v.*) on the petition of Wait Winthrop *etc.*, relating to the Narragansett Country. *Endorsed*, Recd. Jan. 25, Read April 17, 17<sup>10</sup>/<sub>11</sub>. 14½ pp. [*C.O.* 5, 865. No. 63.]

[Jan. 25.]

**619.** Copy of an account of the number of Palatines subsisted Sept. 28-Oct. 28, 1710, with an estimate of things necessary for their settlement at New York *etc.* 3 pp. *Endorsed*, Recd. from Mr. Du Pré, Read Jan. 25, 17<sup>10</sup>/<sub>11</sub>. 3 pp. [*C.O.* 5, 1050. No. 13.]

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[Jan. 26.]

**620.** Mr. Keen (Merchant in Newfoundland and Agent for prizes to the late Prince of Denmark) to the Council of Trade and Plantations. I am in duty bound to discover some impositions upon the Government by the commanding officers in Newfoundland. (1) As to trade: Notwithstanding the directions given to the commanding officer to the contrary, it has been the dayly practice since Nov. 1706, and such commoditys as has been purchas'd by the officer, payment has been made by Bills of Excha. drawn by the Engineer upon the Paymaster of H.M. Ordinance, and solv'd by sundry articles in their accots. charg'd the Government for repairs and pallasadoing the Garrisons, when to my certain knowledge there has not been sixpence expended for that end, the inhabitants of N'land having constantly furnish'd the commanding officer with what pallasadoes has been demanded at their owne proper charge for the yearly repairing H.M. Fort and Castles. (2) Att the yearly survey of the provisions, such as were not thought fitt for victuling were condem'd, and insted of being thrown into ye sea, were resalted and ye mouldy bread pack't in cask, and serv'd out in the room of good provisions, and the good provisions under pretence of being lent to the inhabitants were sold. This was the practice durning Major Lloyd's command, the stuard yt. deliver'd the same was favorite and factor to Major Lloyd. (3) It has been the custom of the commanding officer to lett out soldiers to the inhabitants for the summer season, for weh. the officer recd. for every such soldier 12 to £18. The hard useage of the soldiers has put them upon committing severall roberys, and no reparation made to the loosers, altho' the soldiers has been taken in the fact. *Signed.* W. Keen. *Endorsed.* Recd. Read Jan. 26, 1711<sup>o</sup>. 2 pp. [C.O. 194, 5. No. 1.]

Jan. 26.  
Whitehall.

**621.** Council of Trade and Plantations to Lord Dartmouth. Enclose following to be laid before H.M. *Autograph Signatures.*  
1 p.

621. i. Council of Trade and Plantations to the Queen. Having had under consideration the state of the manufacture of iron and steel in this Kingdom, with regard to your Majesty's American Plantations, and having discoursed some of the principal manufacturers of those goods, we humbly represent that the duty laid in the first year of the reign of their late Majestys on foreign unwrought iron and steel imported into this Kingdom, having been found prejudicial to the said British manufacture, for remedy thereof an additional duty was soon after laid on all manufactured iron and steel imported hither. To evade which last mentioned duty, great quantities of manufactured iron and steel were imported from Holland into some of the western ports of this Kingdom, and upon re-exportation thereof for New England, and other the said British Plantations, the said duty was drawn back; which drawback was afterwards in the second and third years of your Majesty's reign taken off; however

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it proved of little advantage to the said British manufacture, for that great quantities of foreign unwrought iron and steel made into near scantlings were and still are shipt off from Holland, imported hither, and re-exported to the Plantations. Upon which re-exportation, a drawback is allowed, by reason whereof great quantities of iron and steel are manufactured in America, particularly in New England, where there is plenty of coles, and that sort of labour, cheaper than in this Kingdom. On this occasion we sent to the Commissioners of your Majesty's Customes, and have received from them an account of the quantities of foreign unwrought iron and steel exported to the said Plantations from Christmas 1701 to Michaelmas, 1710; by which it appears that, for several years past, the re-exportation of foreign unwrought iron to the said Plantations has greatly increased. Wherefor, for the encouragement of the manufacture of iron and steel in this Kingdome, we humbly offer that no drawback of Custom be allowed on ye re-exportation of foreign unwrought iron and steel to ye said Plantations. *Autograph Signatures.* 2 pp. [C.O. 5, 4. Nos. 1, 1 i.; and 389, 21. pp. 434-437.]

Jan. 27.  
Whitehall.

**622.** Lord Dartmouth to Col. Corbett. Having not yet received any letter from you in return to mine (*v.* Jan. 18) I am obliged to give you the trouble of this, to desire you will lett me have your answer in writing, that I may lay it before H.M. *Signed*, Dartmouth. [C.O. 324, 32. p. 59.]

Jan. 27.  
Barbadoes.

**623.** Mr. Lillington, President of the Council of Barbados, to Mr. Popple. By yours of Aug. 29th I flattered myself I should long agoe have recd. H.M. determination and pleasure in the controversie depending betwixt the Councill and Assembly for the nominating a Treasurer in the Excise Bill, for want of which the countrey has been a great sufferer by wines *etc.* imported the last fleet, and by other vessells since; and if such effectuall orders should not reach this Island before the arrivall of the next fleet, the countrey will not only be in a most miserable condition, but without retreive; for such duty upon strong liquors has always been esteem'd the most easie and equall method of raising monies; the generality of the inhabitants are in such a poor condition, and the Island in common soe destitute of cash, that it is the only means of raising monies. The uncertainty of the packett boats (for we have had none here since the *Union*, the begining of Novr. last) and my impatience for the receipt of H.M. orders, makes me entreat their Lordships' favour in dispatching duplicates by the first good vessells from Europe. Nothing of moment has interven'd since mine of Nov. 2nd, *etc.* In Dec. last the Court of Grand Sessions *etc.* being appointed as usuall, H.M. Attorney Generall acquainted them that he knew of no business the Queen had depending; upon which the Court broke up. Which fatigue

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and trouble to the countrey might have been sav'd, had the Assembly agreed to a Bill brought in by some of their members for the putting off those Courts to June next. On Jan. 23rd, I recd. from Monsieur Phelypeaux, Governor of Martineque a letter concerning the exchange of prisoners. I was necessitated first to send down the Fr. prisoners to Martineque, they being in number 20 odd, the countrey having no revenue to maintain them; and the Councill refusing to join with me out of our private purses to raise something for their sustenance, as we had formerly done for the prisoners we sent in our fleet for Great Brittain. *Papers enclosed.* I have been very carefull, according to H.M. Instructions May 2nd, that no manner of traffick or trade should by means of Flaggs of Truce be carried on betwixt this Island and Martineque. P.S. By the return of the flagg of Truce we have recd. a gentleman who coming up from Antigoa in a sloop was taken into Martineque, and having had sometime before an imperfect account that the Gentlemen of Antigoa had slain Generall Park, I ordered Samuell Cox and Alexander Walker Esqrs. to examine him upon oath *etc.* (v. encl. ii.) *Signed,* G. Lillington. *Endorsed,* Recd. 14th, Read 16th March, 17<sup>10</sup><sub>11</sub>. 2 pp. *Enclosed,*

623. i. Copy of Orders relating to a flag of truce for Martinique about exchange of prisoners, and of a letter from M. Phelypeaux, Governor of Martinique, dated Jan. 28, 1711. (French). *Endorsed,* Recd. March 14th, 17<sup>10</sup><sub>11</sub>. 1<sup>1</sup><sub>2</sub> pp.

623. ii. Examination of John Burke and James Young as to the disturbance in Antigua. The latter said he knew nothing but by hearsay. Burke declared that some time before the difference happened, they had an acct. of 5 men of warr and some land forces arriving at Martinique, with a designe to attack Antigua, and the inhabitants being fearfull thereof, the Council and Assembly addrest General Parke to joyne with them to make laws to put the island in a posture of defence. But ye Genll. delaying ye time gave ye inhabitants great cause of suspicion; and that he had a designe to give up the Island, wch. so enrag'd a major part that they were resolv'd if he would not joyne with the Councill and Assembly as aforesaid, to remove him to some other island in his Government and defend themselves. But his refusing to joyne or remove occasioned a number of people to rise in armes in order to remove him. Whereupon ye Generall summoned H.M. regular troops to keep about his house in order to protect his person. And both parties being in armes severall messages were sent to acquaint him that they resolv'd in case he would not remove off the island or joyne as aforesd., they would remove him. But he refused to quitt ye Island, or to give up his power invested in him by the Queen. Then they march't up to his house in order to take him. Whereupon they fired on each

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other, and then ye inhabitants took ye house and troops then remaining. In weh. action ye Genll. was shot in ye thigh and died ye same day. And there also died of their wounds, of the Genll's. side, an Ensigne named Lindall and about 13 souldiers and severall others wounded. And of ye country party there was 4 killed, Capt. Jno. Piggott, Jarvis Turton, Tho. Young, and one more. Burke saw the Genll. laid out, and did not perceive any other wounds on him. He was handsomely buried by ye Lt. Govr. Yeamans. After weh. ye Lt. Governr. sent one of ye Councill and some of ye Assembly to Nevis to acquaint Lt. Genl. Hamilton of ye misfortune and to request him to take on him ye administration of ye Government, which he did 4 or 5 days. Whereupon ye Island was very quiet, and so remained till his coming away. Burke waited on ye Lt. Genll. ye day he sail'd, to know if he had any commands for Barbados, who said he had not *etc.* Barbadoes. Jan. 25, 1710 (11). *Signed*, Sam. Cox, A. Skene. *Copy. Same endorsement.* 3 pp. [C.O. 28, 13. Nos. 55, 55 i., ii. : and (without enclosure) 29, 12. pp. 330-335.]

Jan. 29.  
Whitehall.

**624.** Mr. Popple to Lt. Governor Spotswood. *Acknowledges* letter of Oct. 24. The Council of Trade and Plantations have the several matters therein contained under their consideration, and hope to be able by the next packet, to give you a particular answer thereunto. In the meantime, I am to acquaint you with their Lordships' opinion, that in case any Act be passed in the Assembly for encouraging of iron mines, the same being of an unusual and extraordinary nature, you do not give your assent thereunto, unless there be a clause inserted therein, suspending and deferring the execution of such an Act, till H.M. pleasure be known thereupon, as is agreeable to your Instructions in yt. behalf. [C.O. 5, 1363. p. 248; and (rough draft) 5, 1335. pp. 80, 81.]

Jan. 29.  
Whitehall.

**625.** Council of Trade and Plantations to Governor Hunter. *Enclose duplicate of Oct 26 and acknowledge letters etc. one without date, and the others of Nov. 14 and 28.* But that paper which relates to your conference with the Five Nations of Indians, which you promised in the first to transmit by the Mast fleet, is not yet come to hand. You will therefore do well to send the same to us by the first conveyance. We are laying before H.M. what you write in relation to the settlement of the Palatines; as also your proceedings with the Assembly touching the settling of a revenue, whose noncompliance we hope will be overcome by your prudent endeavours, and that they may be prevailed upon at their next sitting in March to act conformable to what you have recommended to them, and to the good and welfare of the Province; and so soon as we shall be acquainted with H.M. pleasure upon the foregoing particulars, we shall give you an

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account thereof. We have had under consideration your ord'nance for establishing a table of fees : and the better to judge of the reasonableness of those fees, we did endeavour to compare them with those of 1693, but finding a difficulty in it, by reason they are not in the same method, we desire that you will send us another copy of the said ord'nance distinguishing what fees are new in this, which were not in the former, and wherein the fees in this ord'nance differs from those of 1693, together with your reasons for such variations. We shall take the severall Acts you have transmitted to us into consideration at a proper time. Having considered what you propose in relation to the Acts giving an allowance to Members of Assembly, that the same may be repealed, we do find upon examination that the first of those acts past 1691, *for the allowance to Representatives* is confirmed by Order in Council May 11, 1697, and shall expect to know what you have further to offer on that matter. As to what you write touching your being paid your salary out of the duties arising on cocoa, we are to acquaint you that by H.M. commands we have had under consideration an address from the inhabitants and planters in Jamaica complaining of the high duties payable on prize goods in that Island, and have thereupon reported to H.M. our humble opinion that the duties arising in pursuance of the British Act upon cocoa, sugars, indigo, snuff, tobacco, piemento and other commodities of the growth of America, which are usually afterwards imported into this Kingdom, and pay the full duties here, and also wines and brandies, which are seldom sent from Great Britain, should be discharged of the said duties. But that the said duties do remain on goods as are of European growth or manufacture, as woollen, linnen, iron and steel *etc.*, which by law ought only to be imported into the Plantations from Great Britain, and a Bill enacting that prize goods taken and carried into any of H.M. Colonies and Plantations in America, shall upon the importation thereof, be liable to such duties only, as would have been payable for the same upon the importation thereof into those Colonies or Plantations respectively, in case the Act *for the encouragement of the trade to America* had not been made, being now depending in the House of Commons, if our said report should be laid before the House, and that bill framed conformable to our said opinion, the duties at New York upon the cocoa you mention will of course be remitted, as the like duties on cocoa and other goods imported into other Plantations. As to what you mention concerning the Council of New Jersey their being divided about the place of the Assembly's meeting, and what you proposed to them thereupon, we have considered the same, and shall lay the Act passed in that Province, *ascertaining the place of setting of the Representatives*, before H.M., *etc.* [C.O. 5, 1122. pp. 260-266.]

Jan. 29.  
Whitehall.

**626.** Council of Trade and Plantations to Governor Dudley. *Acknowledge* letter of Nov. 15. We have acquainted the Commissioners of H.M. Customs with what you write in relation to the want of a scout boat, and the Commissioners of the Admiralty

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what you mention in relation to the importation of boards and spars, and when we are informed of what is done therein, we shall give you notice of it. There is now depending in the House of Commons a Bill for the preservation of white pines, or mast trees, in New England to the like purpose with the Act which was pass'd in New Hampshire, which we hope if passed into a Law, will be effectual to preserve such trees for the future. We take notice that you have sent to the Board of Ordnance a state of the Ports, and an account of the stores of war in your Government, but you ought likewise to have sent to us duplicates thereof, for though the issuing of such stores for the Plantations does not belong to us, yet 'tis necessary we should be informed from time to time what is remaining and what is wanting in each respective Government, in order to our laying a particular state thereof before H.M. as occasion may require. We are satisfied in what you wrote relating to the rates of foreign coin, and therefore shall add nothing further upon that subject. As to the New Hampshire law for setting a price on tar, we have no objection, so that the price at which tar is to be received in the Treasury be under the market price. We shall make use as occasion offers of the list of names of persons to fill up vacancies in the Council of New Hampshire, but as we do not know of any persons here, that are willing to pay the fees due on the warrants for consistuting them members of the Council, it will be to no purpose to propose any of them to H.M. for that station till we hear further from you herein. What we sent you in relation to illegal trade, was not particular to you. But the like was sent to the rest of the Governments in America, upon several informations that had been laid before us. However we will not doubt, but that you will take all the care that in you lies, to prevent such illegal trade for the future. We congratulate with you the success of H.M. arms in the reduction of Port Royal. There are no complaints before us made by the Governments of Connecticut or Rhode Island, against the Massachusetts Bay. If any such do come you may depend upon it that Province will have an opportunity of being heard before anything is determined therein. [C.O. 5, 913. pp. 320-324.]

Jan. 31. **627.** Commission and Instructions to Nevill Low to be Secretary of North Carolina. [C.O. 5, 290. p. 10.]

[Jan. 31.] **628.** Mr. Keen to the Council of Trade and Plantations. *Repeats and elaborates* charges against Major Lloyd and the Commanders of the Newfoundland Garrison. v. Jan. 26 etc. *Set out*, A.P.C. II. pp. 634-637 q.v. *Signed*, W. Keen. *Endorsed*, Recd. Jan. 31, Read Feb. 1st, 17<sup>th</sup><sub>11</sub>. 4 pp. [C.O. 194, 5. No. 2.]

Feb.—April. **629.** Permit for 8 ships to sail for America without convoy. [C.O. 324, 32. pp. 55, 59, 60, 65, 82.]

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[Feb.]

**630.** Petition of Alexander Skeene to the Queen. *Prays* leave to return to England for the recovery of his health, and to appoint a Deputy to act for him as Secretary of Barbados and Clerk of the Courts. *Signed*, in behalf of petitioner, Rowld. Tryon. *Endorsed*, Feb., 17 $\frac{1}{11}$ . 1 p. [*C.O.* 28, 43. No. 54.]

Feb. 1.  
Whitehall.

**631.** Lord Archibald Hamilton to the Council of Trade and Plantations. Being informed by Richd. Thompson, a Member of H.M. Council in Jamaica, that he has at present no thoughts of returning to that Island, by which there will be a vacancy in the said Council, of which he will inform you himself, therefore I take the liberty of recommending Mr. Richard Rigby, a gentleman of ability and qualified for that trust, *etc.* *Signed*, A. Hamilton. *Endorsed*, Reed. 3rd, Read 5th Feb., 17 $\frac{1}{11}$ . 1 p. [*C.O.* 137, 9. No. 29; and 138, 13. pp. 315, 316.]

Feb. 1.  
Whitehall.

**632.** Council of Trade and Plantations to the Duke of Queensberry. Having considered the petitions of the Royal African Company, and of several Planters and inhabitants of Barbadoes *etc.* (v. Dec. 9, 1710), we enclose a Representation thereupon to H.M. *Annexed*,

632. i. Council of Trade and Plantations to the Queen. *Refer* to Representation of 3rd Feb., 1708, upon the trade to Africa, and proceedings in Parliament. *Passages relating to the Plantations are*:—As to the supplying the Plantations with sufficient numbers of negro's at moderate prices, and the giving a credit to planters, as proposed by them, we conceive the same to be absolutely necessary, and therefore it will be proper that in such law as shall be passed for settling the trade to Africa, some provision be made for the foresaid purposes, in whatever manner that trade shall be settled by Parliament. In answer to the petition of the planters of Barbadoes, the separate traders do say, that the law made in Barbadoes some years past, whereby paper-money was made current in payment for negro's and all other goods, has been the occasion that the said Island hath since that time been slenderly supply'd. By the Minutes of the Council and Assembly of Jamaica in 1710, it appears to be the general desire of the planters and others that the trade to Africa be left free and open to all your Majesty's subjects, as what they conceive will be most for the benefit of the British Plantations. *Quote* petition of planters and merchants. And it must be admitted, that Jamaica in regard to its situation, and the great share it has in the Assiento trade, is more concern'd in the negro trade, than all the other British Plantations. *Conclude*: If the regulations and provisions contain'd in the scheme of the Separate Traders be judged by your Majesty in Parliament proper and effectual for preserving and well carrying on the said trade, for maintaining the forts and settlements [*in*

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*Africa*] etc., we are humbly of opinion it will be for the greatest and general benefit of this Kingdom and the Plantations thereunto belonging, that the said trade be free and open for all your Majesty's Subjects, to trade to Africa from any part of Great Britain, or from the said Plantations, in a regulated Company, under such regulations and provisions as aforesaid. [*C.O.* 389, 21. pp. 441-457.]

[Feb. 2.]

**633.** William Penn to the Council of Trade and Plantations. To what I have already offered upon the head of surrendering my Govmt. of Pensilvania, I desire leave more particularly to add the following considerations that from them a right judgmt. may be made of my intentions in the proposals laid before the Board. When that Governmt. was first granted me, I could not easily imagine I should ever be obliged to treat thus of a surrender. I had then good reason to hope that if by my industry and vast expences I should make a settled Colony of it, and add such an improvemt. to the Dominions of ye Crown, I might without interruption peaceably enjoy the advantages of it to myself and posterity ; yet so it proved, that soon after its first settlemt. the easy ear the Ministry from time to time lent to the unjust complaints of some designing and prejudiced men, has rendred my possession of it a perpetual uneasiness. In less than two years after my first going over, I was obliged to return in its defence, and before I could gett ready for a second voyage it was actually forced out of my hands, and tho' not long after restor'd to me, yet the attacks against me still continued to my great expence and trouble. At length when in ye year 1699 I transported myself and family with a full intention to fix there, in less than two years more I was again obliged very hastily to return, to save my Govmt. from being wrenched out of my hands as was then design'd in my absence. And the troubles that have since that time been given me, upon very groundless causes are but too well known to this Board to need any repetition ; All which has been so inexpressibly to my loss, that I can scarce hope in the short remains of my period of life to retrieve it. For my own future ease therefore in my declining years, and that of my family, I think it more convenient to deliver it up into the hands, that it has been so often alledged to be most proper for, and who have so often appeared desirous of getting it out of mine, and shall choose to retire from that series of troubles that have so unreasonably been given me. Yet as I have not only been a deep sufferer, but have, I think, a large merit on my side, I have good reason at my going off to expect a consideration, with regard as well to these as to the value of what I am to surrender. As to the value of the Governmt. 'tis very difficult from its present condition to make any just calculation : less than 30 years agoe, the whole was a wilderness, out of which is now raised a thriving well settled Colony, able and willing to support itself, and may doe it equal to any other on the main, in proportion to the number of its inhabitants. The trade of the place is large, and has aug-

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mented the Queen's Revenue by a great many thousands, the improvements, are even surprizing to those who have view'd them and consider the infancy of the settlement. The poorest there (who in Engld. could not live) have encouragement, to marry and multiply, to the great increase of the consumption of English manufactures, and thereby of ye Revenue both here and there: from all which 'tis obvious, that it is not the present value only that is to be estimated, but what it is continually growing and improving to in futurity, tho' even at this instant 'tis considerable. The supplies from Assemblies, imposts generally laid on merchandise, fines arising from ye Courts, forfeitures from illegal trade, with divers other emoluments, in Govmt. will immediately amount to a considerable income, and continually increase with the numbers of the people. Now as this whole improvement, has been begun and advanced to this height by my means and interest, I hope none will think it strange if I believe there is much due to me on that score. And to sett this in a clearer light, I desire it may be considered from parallels of the same kind. What a vast expence such a settlement, would have proved to the Crown, had it been carried on at the publick charge, but 'tis now done without one penny of such money. The toil, fatigues, disappointments, and expences have been mine, 'tis now made a regular well settled Colony, and I am to give up the fruits of it, just as they become ripe, to the Crown. Nor is it only the profits I have mentioned that I am to surrender, but with them all my powers of Govmt., the Crown will have the whole administration, the appointment, of all officers, the regulation and direction of all publick affairs under its immediate care. And how the powers of Govmt. have in all ages been rated, sufficiently appears in this, that from the desire of these have most of the struggles and wars since the Creation had their principal rise and spring. I think therefore upon the whole I may very justly expect a valuable consideration on the several accots. I have mentioned, and cannot doubt but the Lords Commissioners will concur in the same opinion. I crave leave therefore to hope that this Board will not account it a merit, to make in behalf of the Crown a hard or pinching bargain with me, who so little deserve an unkind treatment, on this score, and am so unable to bear it. I shall add nothing further but that as in my first Memorial I hinted I must alwayes expect, there will, upon the surrender, be a due regard had both to the people that went over [*? with*] me in respect to their religious perswasions and to myself and family that may be settled there. *Signed*, Wm. Penn. *Endorsed*, Recd. Read Feb. 2, 17<sup>10</sup>/<sub>11</sub>. 2<sup>1</sup>/<sub>4</sub> pp. [*C.O.* 5, 1264. No. 110; and 5, 1292. pp. 250-254.]

Feb. 2.  
Whitehall.

**634.** Council of Trade and Plantations to Lord Dartmouth. *Enclose* Mr. Keens' charges against Major Lloyd *etc.* (v. Jan. 26, 31) to be laid before H.M. [*C.O.* 195, 5. pp. 192, 193.]

Feb. 5.  
Whitehall.

**635.** Mr. Popple to Lord Archibald Hamilton. *Reply to* Feb. 1st. When Mr. Thompson shall have informed the Council

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of Trade and Plantations that he do's not intend to go to Jamaica, their Lordships will take this matter into further consideration. [*C.O.* 138, 13. *pp.* 316, 317.]

Feb. 5.  
Whitehall.

**636.** Lord Dartmouth to the Council of Trade and Plantations. *Encloses following.* H.M. would have you examine when and upon what occasion and for what reason the naming and appointing a Governor was taken from Lord Baltimore, *etc.* *Signed,* Dartmouth. *Endorsed,* Recd. Read Feb. 7, 17<sup>10</sup>/<sub>11</sub>. 1 *p.* *Enclosed,*

636. i. Charles Lord Baltemore to the Queen. Petitioner's Ancestors at great hazard and expence made a settlement an hundred miles up into the Continent beyond Virginia, now called the Plantations of Maryland, and your Petitioner now holds the same as sole Proprietor thereof, by vertue of Letters Patents under the Great Seal of England from his late most sacred Majesty King Charles I : and thereby was always allowed to have the right of nameing and appointing a Governour to reside there, until soon after the late Revolution, when his late Majesty King William (for reasons of State unknown to yr. Petitioner) appointed a Governour, and continued so to do, during his whole reign, tho' your Petitioner endeavoured by petition to obtain his said right. Since your Majesty's most happy reign Governours have been appointed by your sacred Majty., which your petitioner humbly conceives your Majty. would not have done, could your Petr. have been heard before your Majty. Petr. doubts not to make out his right before your Majty., and having never acted or done anything to forfeit the same, humbly hopes that your Majty. will be graciously pleas'd to restore him thereto, tho' he shall never presume to appoint any Governour without your royal approbation. *Prays* to be admitted to make out his said right by his Councell in such manner as H.M. may think fit, ye Proprietors of other Plantations being allowed the like priviledges. 1 *p.* [*C.O.* 5, 717. *Nos.* 26, 26 i. ; and 5, 727. *pp.* 224-227.]

Feb. 5.  
Whitehall.

**637.** Lord Dartmouth to the Council of Trade and Plantations. H.M. would have you prepare a clause, as you propose (*v.* Jan. 26th), that no drawback of custom be allowed on the exportation of forreign unwrought iron and steel to the Plantations, and that you offer the same to the House of Commons by some of your Members, to be inserted in some Bill, *etc.* *Signed,* Dartmouth. *Endorsed,* Recd. 5th, Read 7th Feb., 17<sup>10</sup>/<sub>11</sub>. 1 *p.* [*C.O.* 323, 7. *No.* 7 ; and 324, 9. *p.* 450.]

Feb. 8.  
Virginia.

**638.** Lt. Governor Spotswood to Lord Dartmouth. I'm sorry that I must here continue the disagreeable account of the irregular proceedings of our late Assembly, which having mett according to the adjournment mentioned in my last begun

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with the same ill temper with which they separated, so that I was obliged on Jan. 31st to put an end to their contentions by a dissolution. The shortness of time will not give me leave to send by this conveyance the transcript of their Journals and the few laws they have pass'd, which are only three publick and two private Acts, and neither of much consequence. No arguments of mine or of the Council could prevail with the House of Burgesses to enter into any measures for the defence of the country, or for making good the Treaty with the Tuscaruros, tho' even that was concluded at the instances of their House. The just claims of many publick creditors obstinately rejected after the services had been approved of as a general benefitt to the country, and in short they were resolv'd not to depart from that general maxim of recommending themselves to the people by opposing everything that required expence ; and indeed most of the late Burgesses had reason, since that was the only qualification they had to merit the people's choice ; but tho' this has made some difference between me and the Burgesses, it has occasioned none with the country. I have not had the least dispute with any one member of the Council, nor do these very persons who composed the House of Burgesses shew any dissatisfaction with my administration, but on the contrary express as much confidence in my managment as in any Governor they have ever had : so that this unaccountable behaviour of the late Assembly will in all probability give a new turn to the humours of the people, and make them choose for their next Representatives persons of more disinterested principles : but I shall first be well assured of that disposition before I call another Assembly. In the meantime I'm takeing all necessary precautions for securing the country against the Indians, and by the voluntary offers of several Gentlemen of the Council to advance money on the credit of the Revenue for making good the Treaty with the Tuscaruro Indians, I hope to keep that nation in our interest, and by that means put a speedy end to the present danger : unless the French (who 'tis said now trade with Indians not very remote) should find means to unite their Indians with those concerned in the massacre and furnish them with arms and ammunition to attack us. This is the more to be feared, because I have advice from persons who have lately lived among the Indians, that the Senecas (a numerous people) have of late been very industrious to unite all the scattered bodys of Indians on the frontiers of this and the neighbouring Governments, and seem more particularly provoked against us on account of one of their King's being killed some time ago by an inhabitant of this Colony as he was hunting. If they should for this prosecute a revenge, such a combination of all our neighbouring Indians might put our frontiers in a very unhappy condition, considering how ill we are provided to encounter an enemy that is no other-ways to be reduced, but by a continual pursuit through the woods and desarts, a fatigue which our people will never be able to endure without the conveniency of tents to secure them against the weather. I therefore humbly offer to your Lordp's. consideration to move H.M. for a supply out of the Tower of about

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300 soldiers' tents, some small arms and powder with two brass three pounders mounted on feild carriages for an expedition ; such a supply would be of the greatest service, if we should be reduced to a necessity of pursuing the Indians, or of attacking them in their forts ; and without which it will be extreemly difficult to free ourselves effectually from the incursions of that enemy : but the present danger seems much more to threaten North Carolina where the Indians daily gather more strength, and have already beseiged a party of the inhabitants in a small fort they built for their better security. That country is so miserably distracted, that they are not like to do anything for their own defence ; their late Assembly having in a manner resolved to sacrifice the country to the rage of the heathen, because they could not introduce into the Government the persons most obnoxious for fomenting the late rebellion and civil war there. The Palatines are the only persons who now live undisturbed upon a neutrality concluded with the Indians by the Baron de Graffenried while he was their prisoner, and for which he is sufficiently persecuted by the other inhabitants, who would have him enter into a war with the Indians without affording him the least assistance either of provisions of war or victuals, of both which he is in mighty want; he has always declared his readiness to break with the Indians as soon as the other inhabitants should take measures to prosecute a war effectually ; and to do it sooner would only expose his handfull of people to be destroyed or starved out of the place, and he depends so little on the faith of the Indians or on the good nature of his neighbours that he has lately proposed to me to remove with the Palatines into this country, to settle on H.M. land as well as divers other inhabitants of Carolina, who despair of any protection there. The settlement of the Palatines together with such a number as the Baron proposes to invite from Swisserland and Germany, would prove of great benefite to this country, and a strong barrier against the incursions of Indians if duly disposed above our inhabitants. I must therefore pray your Lordp's. directions, what encouragements may be proper to be given for such a design either in ye quantity of land or the terms of granting it. I must also pray your Lordp. to move H.M. for some speedy orders that this Colony, Maryland and Carolina may assist each other if either be attackt, and since such an assistance may be render'd very precarious if left to the regulation of an Assembly, your Lordp. will also be pleased to consider of some more effectual means than their resolutions. *Signed, A. Spotswood. 3½ pp. Enclosed,*

638. i. Duplicate of No. 710 i. [*C.O.* 5, 1337. Nos. 8, 8 i.]

Feb. 8. **639.** Petty Expenses of the Board of Trade, Michaelmas to Christmas, 1710. *v.* B. of T. Journal. 4½ pp. [*C.O.* 388, 76. Nos. 111-113.]

Feb. 8. **640.** Council of Trade and Plantations to Lord Dartmouth.  
Whitehall. Enclose following to be laid before H.M.

640. i. Council of Trade and Plantations to the Queen. *Refer*

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to the settlement of the Palatines upon Hudson's River, as described by Governor Hunter and Mr. Bridger *supra*. The greatest number of the Palatines are settled in three towns, where they have already erected their huts, upon 6000 acres purchased by the Governor, lying in the east side of Hudson's River about 100 miles from New York. Opposite thereto and belonging to your Majesty, on the west side of the said River, lyes another tract of land, extending about a mile in length to the side of that river, on which land the rest of the Palatines are seated in two towns. Which said settlements are very commodious, as well in regard of the fertility of the soil, as that they are adjoining to the pine lands, and that ships drawing 15 foot water may come up to them. Mr. Dupré has informed us that when he came away, the number of the Palatines so settled was 2227, who were then employed in clearing the ground for Indian corn and gardens; and are this spring to be set on work in preparing the trees for the production of tar and other naval stores. Your Majesty's said Governor and Surveyor do say that this great and usefull undertaking of providing this Kingdom with Naval Stores cannot fail of success if duly encourag'd and supported hence, there being pines enough for a constant supply of tar, for the use of all the shipping of Great Britain. In order to produce tar, the trees must be rinded in the spring, after weh. it is necessary that they should stand two years that the sap may be lost, and only the gummy substance remain to be run into tar, by burning the trees after a particular manner; wherefore till the Palatines can make tar, in order to reimburse your Majesty, what has already been or shall be further advanc'd for their use, the Governor proposes that they be subsisted at the rate of 6*d.* per day for persons above ten years of age and 4*d.* a head per day for children under ten years; to defray which expence and other charges incident to ye said undertaking (as is more particularly set forth in an estimate now lying before the Lords of your Majesty's Treasury) he craves an allowance of £15000 a year. In regard it was so late before the said Palatines were seated, and for that the weather in that country is usually very hard during the winter season, they could not by their labour contribute towards their own livelyhood during any part of the first year, which time may to that purpose be reckon'd lost; therefore the Governor proposes that the said allowance of £15000 a year be made for two years from Midsummer, 1710, within the first of which two years (though a great part of their labour will be employed in the spring to prepare trees for making tar) he computes they will be so far able to contribute towards their own livelyhood that the said sum of £15000 will in

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a great measure answer the rest of that year's expence on account of the said undertaking ; and that within the latter of the said two years, the produce of their lands will contribute towards their support to such a further degree that the second £15000 will be sufficient to answer the second years expence, and to make good the deficiency of the former year. For the subsistence of the Palatines upon their arrival at New York, the Governor carried from hence bills of credit for £8000, and has drawn bills on your Majesty's Treasury for that and for a further sum of £4,700, all which mony he says has been expended in subsisting and settling of those people ; and that he has transmitted an account thereof to the Lords of your Majesty's Treasury, whereby he says it does appear that he has disposed of that mony with good management, and therefore prays ye said bills may be complied with. If the production of Naval Stores within your Majesty's Dominions in America be encouraged and brought to such perfection that sufficient quantities thereof may be imported from thence for the use of the Royal Navy and of the rest of the shipping of Great Britain (which we are credibly inform'd may be done), the said stores (bought there with the produce of the woollen and other goods from Great Britain) being consumed here, in lieu of such as are imported from the Northern Crowns, the doing thereof will not only turn the ballance of that northern trade in favour of this Kingdom, but your Majesty and your subjects will for the future be at a greater certainty of being from time to time supplied with Naval stores from America, than can be depended upon from the Baltick and Norway, especially in case of a rupture with either of the said Northern Crowns. Therefore we presume humbly to offer our opinion that the said Palatines be supported in order to their carrying on and improving the said manufacture of Naval Stores, so greatly advantageous and beneficial to the navigation of this Kingdom. In our proposal, we humbly offered to your Majesty that Mr. Bridger should be ordered, with 3 or 4 other persons as his assistants to repair to New York, to instruct the Palatines in manufacturing tar *etc.* Accordingly he repaired thither, and has been very serviceable in finding out lands proper for the settlement of the Palatines, and in the seating them thereon, but has had no consideration for such his services, in regard the Governor is not sufficiently empowered by authority from your Majesty to make any allowance for the same, *etc.* Wherefore we humbly offer that out of such mony as your Majesty shall be graciously pleased to advance on account of the Palatines, the Governor be directed to pay Mr. Bridger a yearly salary of £100 during such time as he shall be employed at New York in instructing them. [*C.O.* 5, 1122. *pp.* 267-276.]

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Feb. 8. **641.** Draught of a clause to be inserted in a Bill to enact that no drawback of Custom be allowed on re-exportation of foreign unwrought iron and steel to the Plantations. [*C.O.* 324, 9. p. 451.]
- Feb. 8.  
Whitehal. **642.** Council of Trade and Plantations to the Lords Commissioners of the Treasury. Request payment of office expenses and salaries from Michaelmas to Christmas, 1710. [*C.O.* 389, 37. pp. 16-18.]
- Feb. 9.  
St. James's. **643.** Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed*, John Povey. *Endorsed*, Recd. 20th, Read 21st Feb., 17<sup>10</sup><sub>11</sub>. 1 p. *Enclosed*,  
643. i. Lords Proprietors of Carolina to the Queen. *Pray* for H.M. approbation of Charles Craven whom they have appointed Governour to succeed Major Edward Tynte, decd., he being a person of integrity and capacity, well affected to H.M. Government, and now in that Province, *etc.* *Signed*, Craven Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. 1 p. [*C.O.* 5, 1264. Nos. 111, 111 i. ; and 5, 1292. pp. 263-265.]
- Feb. 10. **644.** Address of the Representatives of New Jersey to the Queen. We your Majesty's most dutifull and loyall subjects haveing taken into our consideration your Majesty's royal letter to H. E. Coll. Robert Hunter concerning the money given by the Assembly of this Province to the late Lord Lovelace, humbly represent that it being given by the Assembly which with the other Acts past dureing his Lordps.' administracon are lost or mislaid, we thought ourselves obliged both in justice and gratitude to his memory, to pass another Act dureing the present session of this Assembly for making the prints of those Acts as effectuell as the originalls would be were they in the Secry's. Office whereby they might more regularly be transmitted for your Majty's. approbation, being greatly desirous to preserve the gracious opinion your Majty. in your letter are pleased to express of our justice to that noble Lord, but your Majties. Council of this Province haveing made and insisted on severall amendments to that Bill, which wee thought reflected on the memory of the Lord Lovelace, and seemed to confirm an Act past dureing Col. Ingoldesby's administracon which took from his unhappy Lady the greatest part of wt. was given her Lord, whereby or. just intentions in passing the aforesaid Bill this present Session being defeated, Wee have besought H. E. Col. Robt. Hunter to lay before yor. Majtie. under the Seale of this yor. Province the prints of the aforesaid Acts which wee hope will answeer yor. Majties.' gracious intentions, *etc.* *Signed*, By order of the House of Representatives, John Kay, Speaker. Feb. 10, 1710. *Parchment*. 1 large p. [*C.O.* 5, 1091. Nos. 20 ; and (*duplicate*) 21.]

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Feb. 10.

**645.** Address of the Representatives of New Jersey to the Queen. Wee do with all humillitie render yor. Majtie. our most hearty thanks for removeing yor. Lieut.-Governour Col. Richard Ingoldesby from the Governmt. of this yor. Majties. Collony and exempting us from the charge and hardships we then sustained. Yor. Majties.' goodness lays us under the greatest obligations to the best of Princes in sending H. E. Robert Hunter, *etc.*, who we are morally assured will approve himself to yor. Majtie. and your subjects here by a steady and impartiall administration of Justice, then which nothing has been more wanting in this yor. Majties.' poor and hitherto abused Collony. A Representation of which we have made to H. E., who we hope with the first opportunity will lay a true and impartiall accot. thereof at yor. Majties. Royall feet, and wee implore such relief as the necessitie of our circumstances requires, and to your Majties.' royall wisdome shall seem most fitt. Wee doe assure yor. Majty. wee will support yor. Governmt. as our duty obliges us and be obedient to all yor. Majties. commands to the utmost of our abillities when wee are honoured with the knowledge of them, *etc.* *Further compliments. Signed as preceding.* Feb. 10, 1710. *Parchment.* 1 large p. [*C.O.* 5, 1091. *Nos.* 22 ; and (*duplicate*) 23.]

Feb. 12.  
Whitehal.

**646.** Council of Trade and Plantations to the Queen. *Representation* upon petition of James Campbell. (*v.* June 2, 1709). *Summarise* claim amounting to £10,737 2s. 6d., and proofs adduced. [*C.O.* 195, 5. *pp.* 193-201.]

Feb. 12.  
Craven House.

**647.** Secretary of the Lords Proprietors of Carolina to Governor Charles Craven. The Lords Proprietors recommend to your care and encouragement Mr. Charles Love, who is going over to Carolina and desires to settle there, *etc.* *Signed,* R. Shelton. [*C.O.* 5, 290. *p.* 10.]

Feb. 12.

**648.** Warrant to Richard Hughes for 5000 acres in Carolina on payment of £100. [*C.O.* 5, 290. *p.* 11.]

Feb. 13.  
Whitehal.

**649.** Council of Trade and Plantations to Lord Dartmouth. Enclose following to be laid before the Queen. *Annexed,*

649. i. Council of Trade and Plantations to the Queen. We have consider'd the memorial of Wm. Penn Esq., Proprietor and Governor of Pennsylvania, (*v.* Feb. 2), and have several times conferr'd with him on that occasion. Whereupon we beg leave humbly to represent, that by Letters Patents, March 4, 1680, your Majesty's Royal Uncle, King Charles II, did grant the Propriety and Government of Pennsylvania to the said Wm. Penn, his heirs and assigns, wherein are contain'd such large, and ample powers, priviledges, and immunities, as in our humble opinion seem capable of being extended to the diminution of the Prerogative of your Majesty's Crown, from whence they were originally deriv'd. That the said Wm. Penn has since compleated the settlement of a

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considerable Colony in that tract of land in America ; and out of a desolate wilderness has rais'd a flourishing country, from whence great benefit has accrued to this Kingdom, by a consumption of British manufactures from time to time exported thither, by an improvement of navigation, and by an increase of duties paid here on goods imported from thence, which duties have yearly amounted to a considerable sum, as appears by the Custom house accounts of imports from that Province. That the said settlement having been made by the great care and industry of the said Wm. Penn, (not without many difficulties and hardships) and an undertaking so chargeable having been perform'd by him at his own expence, and thro' his interest, 'tis reasonable to believe he has very much impair'd his estate, as is set forth in his Memorial. That the said Wm. Penn being very uneasy under the frequent attempts that have been made upon him, in order to take that Government out of his hands, and under such other disturbances, and oppositions, as he hath met with on account of its being a Proprietary Government, he therefore declares that he is ready and willing to surrender all the powers of Government, wherewith he is invested, and to deliver the same intirely into the hands of your Majesty, upon such a consideration as may appear reasonable with regard to what he has merited from ye Publick in having settled the said Colony. Whereupon we humbly offer our opinion that the revesting the Government of Pennsylvania in your Majesty will be a benefit to the trade of this Kingdom, and particularly that it will tend to the establishment and maintenance of your Majesty's more immediate authority in that Province ; to the more speedy and impartial administration of Justice to all persons there ; to a more regular carrying on a legal trade in those parts, conformable to the several Acts of Parliament in that behalf ; to the better security and defence of your Majesty's subjects in that Province, and the strengthening the British interest, upon the Northern Continent of America. In consideration of which surrender the said Wm. Penn by a supplemental memorial deliver'd to us, does propose that £20,000 be paid to him within the term of seven years, the same to be paid by equal yearly payments. We presume your Majesty will not expect that we shou'd give an opinion as to the reasonableness of that sum, or that in this case, we shou'd propose a sum with regard to the true value of the Government to be purchas'd ; the nature of Government not admitting of any rule whereby it may be valued, as is done in other cases, where the price to be paid, and the profit to be purchas'd, are to be equally consider'd. Therefore whatever sum your Majesty shal be graciously pleas'd to give to the

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said Wm. Penn upon his surrender of that Government, it is to be estimated not only as a full and ample consideration of that purchase, but as proceeding further from your Majesty's wonted goodness and bounty on account of his great expence in the settling that Colony, to the impairing his estate, and of his good services in having made that settlement, whereby the Trade and Navigation of this Kingdom and your Majesty's Revenue has been increas'd as beforemention'd. He says he shou'd think himself obliged on surrendring his Government to desire leave in all humility to recommend to your Majesty's royal protection and favour, the people called Quakers who under him first settled, cultivated, and improv'd that Colony, were he not so sensible of your Majesty's great justice and goodness that he doubts not but they will be protected in a full enjoyment of that indulgence in religious matters, and of all those civil rights, and privileges, which by law they now enjoy. We enquired of the said Wm. Penn what might be the annual charge of that Governmt., and what Revenue there was subsisting for the support thereof, the yearly value of such Revenue, and for what time granted. In answer whereunto he has inform'd us in general that the charge of that Government is less than in other your Majesty's Governments on that Continent; that about 25 years ago the Assembly made a free gift to him of a duty on goods exported and imported, which he says at that time would have rais'd £1200 per annum; but in consideration of £600 given to the said Wm. Penn, and for that he was of opinion, that taxes in the infancy of a Colony wou'd cramp the industry of the people, the said duty of £1200 was let fall, and it has not since been reviv'd; however he does not doubt but the Assembly will readily grant new duties, and that as the Province is daily increasing in numbers of people, and in trade, such duties, with the fines of Courts, and forfeitures for illegal trade, will as he conceives be more than sufficient for the expence of that Government. We beg leave further to offer that if your Majesty shal think fit to accept of a surrender of that Government, such surrender shou'd be absolute, and that the said Wm. Penn do thereby renounce all right, claim or pretention whatsoever, as well to the said Government of Pennsylvania as to that of Newcastle, and the other lower counties, in such manner and form as by your Majesty's Council learn'd in the law shal be advis'd. [*C.O.* 5, 1292. *pp.* 254-261; and (*covering letter only, with autograph signatures*) 5, 1233. *No.* 54.]

Feb. 13.  
Whitehal.

**650.** W. Popple to the Right Honble. the Lord Mayor, (Sir Gilbert Heathcote). Col. Richard Thompson, (*v.* Feb. 1st.) having signified to the Council of Trade and Plantations, that he does

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not intend to return to Jamaica, and Mr. Richard Rigby, Deputy Secretary there, having been recommended to their Lordships as a person fitly qualified to serve H.M. as a Councillor, they desire to know whether by yourself or any other persons you have anything to offer for or against the said Rigby's being of the Council accordingly. [*C.O.* 138, 13. *pp.* 317, 318.]

Feb. 15.  
Whitehall.

**651.** W. Popple to Josiah Burchet. Encloses, for the information of the Admiralty, extract from Governor Handasyd's letter (Dec. 4) relating to French ships arrived in the West Indies. [*C.O.* 138, 13. *p.* 321.]

Feb. 15.  
Custom house,  
London.

**652.** Mr. Carkesse to Mr. Popple. The Commrs. of H.M. Customs desire to know if the Governour of the Leeward Islands or other Governours have a power by their patents to depute any persons to make seizures of shippes or goods in the Plantations imported thither or exported from thence, contrary to law, and how far such power extends, and that you will send them an extract of soe much of their patents as relates thereunto. *Signed*, Cha. Carkesse. *Endorsed*, Recd. Read 16th Feb., 17<sup>10</sup>/<sub>11</sub>.  $\frac{1}{2}$  *p.* [*C.O.* 323, 7. *No.* 8; and 324, 9. *pp.* 451, 452.]

Feb. 15.

**653.** Sir T. Laurence to the Council of Trade and Plantations. Further complaints against the Assembly of Maryland and Mr. Bladen, Attorney General, with regard to the dues of his office of Secretary. *Signed*, Thomas Laurence. *Endorsed*, Recd. Read Feb. 16, 17<sup>10</sup>/<sub>11</sub>.  $2\frac{1}{2}$  *pp.* [*C.O.* 5, 717. *No.* 27; and 5, 727. *pp.* 228-233.]

Feb. 16.  
Whitehall.

**654.** Council of Trade and Plantations to Lord Dartmouth. Enclose following to be laid before H.M. *Autograph signatures.* 1 *p.* *Enclosed*,

654. i. Council of Trade and Plantations to the Queen. We beg leave to represent to your Majesty the difficulties Governor Hunter has met with from the Assembly (*of New York cf.* Nov. 14, 1710) in procuring the grant of a revenue there. The last Act of Assembly, whereby a revenue was granted to your Majesty for defraying the public charges of that Government expired May 18, 1709. The Governor, who arrived there in June 1710, did on Sept. 1st in his speech at his opening the first session of Assembly, earnestly recomend to them the providing a fitting and necessary supply for the service of your Majesty's Government, and that they would take care to restore the publick credit. In order whereunto at the desire of the Assembly an estimate of the yearly charge of that Government was laid before them; part of which estimate they disallowed, and prepared another estimate. On Oct. 25 the Assembly voted 2500 ounces of silver towards defraying the Governor's necessary expences for one year; the value of which quantity of silver he computes at little more than half

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of what your Majesty has been pleas'd to appoint for his salary. Whereupon he communicated to them that part of your Majesty's Instructions whereby he is empowered to receive to his own use as Governor £1200 sterling a year, out of the publick revenue of that Province, and added that he presumed they would not dispute your Majesty's right of appointing a salary for the use of your Governor. They struck out some intire articles in the said estimate of the yearly charge of that Government, and retrench'd others to less than one half, tho' some of the members proposed, that what the Governor had offered might be further consider'd; and one of them having press'd it with some warmth, was thereupon expell'd the Assembly. Afterwards on Nov. 2 they voted £1200 more, for defraying the charge of the Government and for the security of the frontiers. On Nov. 6 following a Bill was brought into the Assembly, giving a power to the Treasurer of that Province, out of the publick treasure lying in his hands (unappropriated), to issue 5667 $\frac{1}{2}$  ounces of silver for the use of the garrison and other the uses therein particularly mentioned. Which summ the Governor informs us was little more than half of what was necessary, and very much less than what has usually been allowed for those services. To this Bill the Councill made an amendment, by which the money was directed to be issued by warrant of the Governor, by and with the advice and consent of the Councill, conformable to your Majesty's Instructions in that behalf and to former practice there; the Assembly disagreed to this amendment, and there were several confereances between the Council and Assembly, on the subject of that amendment, without any good effect. Whereupon the Governor found himself obliged on Nov. 25 to prorogue the Assembly to the 1st March next, in hopes they will then meet in a better temper. In the meantime by this proceeding of the Assembly, there is no provision made for the paymt. of the said Governor's salary, or for defraying the other publick and necessary charges of that Government; except what may arise from the two Acts past that session for settling an Excise on strong liquors, and for laying duties on the tunnage of vessels and staves; all which 'tis computed will fall much short of the forementioned services. The Governor has informed us of what reasons some of the Members of the Assembly give for their not providing for the support of that Government as formerly, with his observations upon such their pretended reasons. They pretend that the expence of that Province, on account of the late intended Expedition against Canada, hath so impoverish'd them, that they are not able to raise money to answer the usual charge of the Government: upon which the Governor observes, that the

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service of that Expedition was defray'd by a land tax (the greatest part whereof we presume was spent among themselves) whereas the money given for the charge of the Government was usually raised by duties on goods imported and exported, and on Excise. Another reason they give is, that the misapplication of revenues formerly granted, hath as they alledge, brought a considerable debt on the Country. To remove that objection, the Governor proposed to several Members of the Assembly, that a clause might be inserted in the Revenue Bill to oblige the Receiver General to be accountable to the Assembly, as well as to your Majesty, that such other clauses might be added as would effectually restrain the Governor and Council from loading the country with further debts by any payment to be issued out of the Revenue. But 'tis believ'd the true reason of this proceeding of the Assembly are first, that in a great measure some of the neighbouring Governments are exempted from so great a charge. As to this the Governor observes, that the Province of the Massachusetts Bay is at £20,000 yearly charge for the defence of their frontiers, whilst those of New York are for the most part defended and secured by your Majesty's regular forces there. Another reason is that by act of Assembly every Assembly man being allowed 6s. a day during the sitting of the Assembly, the better to secure his being chosen from time to time, he only considers the saving of the country's money, without having any manner of regard to the necessary services of the Government. Lastly the Governor adds that of late a notion has very much prevailed among those people that your Majesty has not a power of appointing salaries out of the revenue raised by them, and the pretended right they have assumed to themselves, of retrenching the Governor's salary is founded on that notion, which in our opinion should not be countenanced. This being the state of the difficulties the Governor has met with from the Assembly in relation to his procuring the grant of a revenue, as it appears to us from the Journal of Assembly and from the Governor's letters; we beg leave to offer our humble opinion, that your Majesty's said Governor be directed to represent to the Assembly, that it being your Majesty's undoubted prerogative to constitute a Governor of that Province with an appointment of such salary as your Majesty in your royal wisdom has judged suitable to the character, and necessary for the support and maintenance of that Government, it has therefore been justly displeasing to your Majesty to find they have refused or neglected to make the like sufficient provision for the foresaid purpose, as has been made in the time of your Majesty's late Governors. And thereupon that the said Governor be further directed in the most

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effectual manner to recommend to them the granting the like revenue for the support and maintenance of that Government as has usually been granted. And the better to induce the Assembly to comply therein, we humbly conceive it may be proper to intimate to them, that if they shall persist in refusing or neglecting to provide for the necessary support and maintenance of that Government under the administration of your Majesty's present Governor in like manner as ye same has hitherto been supported and maintained, they must expect that such their refusal or neglect will give a just occasion to the passing an Act by the Parliament of Great Britain for granting to your Majesty the like revenue to arise and be paid there for the support and maintenance of that Government as has usually been granted by Act of Assembly for that service. *Endorsed, Read March 1, 1710 (1). Autograph signatures. 6½ pp. [C.O. 5, 1084. Nos. 44, 44 i.; and 5, 1122. pp. 277-286.]*

Feb. 16.  
Barbados.

**655.** Mr. Lillington to the Council of Trade and Plantations. By the *Frankland* packet boat I have with great satisfaction recd. letters of 26th and 30th Oct., with a copie of H.M. Order in Councill of Sept. 26, and determination of the dispute for nominating a Treasurer *etc.* I have recd. a copie of the sd. order only, and that from yr. Ldps. alone, but have recd. neither originall or copie of H.M. Royall pleasure signified in this dispute by my Ld. Secry. Dartmouth, though I have seen a copie thereof in some private hands, wch. how far the Councill will take notice of, I will not say, they being to sit tomorrow, but haveing recd. a copie of sd. order from under yr. Ldps. cover, I shall cause all due obedience to be given. How far the majority of the Councill, who have been the occasion of the loss of three excise Bills, to sattisfie their pique and prejudice against a Gentn. named for Treasurer therein, and of so great a revenue ariseing from thence, and thereby leaveing this Isld. exposed to the insults of a common enemie may be thought by yr. Ldps. lyable, and deserveing of H.M. resentment for the same I must submitt, but with your Ldps.' leave I shall add--they had very little reason, upon my declareing to them my thoughts in this controvercie, wth. such heat and passion to fall upon me and charge me to H.M., and that for discharging my trust to the best of my skill and judgment, and 'twill be very discouraging to the performing of such duty, when upon every difference of a Governor or Comnr. in Cheif's opinion from the Councill he must be oblig'd to contest against their united power and purses. Yr. Lordps. cannot be insensible how much I have suffer'd in every respect from several members of that Board, and though I have sacrific'd all resentment to duty, and our common interest, yet their inveteracy and cabals continue the same, and I have this particular to boast of, that though my actions are so nicely scan'd, none of them have as yet dar'd to accuse me otherwise than of what H.M. has from yr.

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Lordps.' great justice been pleas'd to approve. *Encloses Minutes of Council and Assembly, etc. Signed, G. Lillington. Endorsed, Reed. 7th, Read 10th May, 1711. 2 pp. [C.O. 28, 13. No. 57; and 29, 12. pp. 344-346.]*

Feb. 16. **656.** Same to Lord Dartmouth. *Repeats part of preceding Barbados. etc. Signed, G. Lillington. 2 pp. [C.O. 28, 43. No. 50.]*

Feb. 16. **657.** Council of Trade and Plantations to the Queen. Offer Whitehal. the Act of New Jersey, 1709, *for ascertaining the place of the sitting of the Representatives*, for H.M. approbation, as in accordance with Governor Hunter's recommendation, "no person having appeared here to oppose it" *etc. [C.O. 5, 995. pp. 138, 140.]*

Feb. 17. **658.** Mr. Popple to Mr. Carkesse. *Reply to 15 Feb.* H.M. Whitehall. Governors in the several Plantations have no power by their Commissions to depute persons to make seizures of ships or goods imported, or exported from, the said Plantations, contrary to Law. There is one clause indeed which relates to the appointing of Judges *etc.* wherein there is an expression general, empowering the Gvrs. to appoint other necessary officers for the better administration of Justice and putting the Laws in execution, which last words, (tho' they are plainly intended in another sense) may perhaps have been interpreted otherwise. In the Governor's Instructions which are not under the Great Seal, there is a clause directing them to give all due encouragement to the Officers of the Customs and Admiralty, but no mention made of deputing persons to make seizures. *Encloses copies of clauses referred to.* Besides which there is a body of Instructions to each Governor (which have relation only to the due execution of the Laws concerning Trade and Navigation) and where some years ago prepared by the Commissioners of the Customs. By the 8th Article whereof the Governors are required to give charge that ships be seized and prosecuted as is mention'd in the said Article *etc. [C.O. 324, 9. pp. 452-454.]*

Feb. 17. **659.** H.M. Warrant granting Alexander Skeen, Secretary of St. James's. Barbados, leave of absence for the recovery of his health, he appointing a Deputy approved by the Governor. *Countersigned, Dartmouth. [C.O. 324, 32. pp. 54, 55.]*

Feb. 19. **660.** Mr. Popple to Mr. Bridger. *Acknowledges receipt of Whitehall: letters.* Upon consideration of what the Governor of New York and you have writ, in relation to the settlement of the Palatines for the production of Naval Stores at New York, the Council of Trade have laid a full state of that matter before H.M. with their opinion that the said Palatines be subsisted for two years according to the Governor's proposal. They have likewise offer'd that you have an increase of salary during the time you shall be employ'd in instructing the Palatines at New York; and so soon as H.M. pleasure shall be declar'd therein you will have notice thereof.

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Upon this occasion of the Palatines, it being said by some that the preparing the trees is not a work of time, for that they may be prepar'd one day and cut down the next for burning, which being contrary to the information their Lordships have formerly had in that matter : they desire you wou'd let them have by the first opportunity a particular account of the method of making tar, vizt., how and in what manner the trees are prepar'd, the reason why they are to stand two years before they are cut down, the manner of burning the trees after they are cut down, *etc.* [*C.O.* 5, 913. *pp.* 330, 331.]

Feb. 19. **661.** Mr. Popple to Governor Saltonstal. *Acknowledges*  
Whitehal. letters of July 3, Aug. 8. The Council of Trade will expect a collection of the laws of Connecticut, as promis'd. In sending which laws, you will do well if there be any amongst them, that are of a particular nature, to explain to their Lordships the reason for passing the same, unless such reasons be expressed in the Preamble of the Act. [*C.O.* 5, 1292. *pp.* 261, 262.]

Feb. 19. **662.** Same to Governor Cranston. *Acknowledges letter*  
Whitehal. Nov. 15. *Repeats preceding.* The Council of Trade have sent to the Commrs. of H.M. Customs what you write in relation to the Collectors, and doubt not but what shal be thought proper will be done therein. [*C.O.* 5, 1292. *pp.* 262, 263.]

Feb. 19. **663.** Council of Trade and Plantations to Governor Handasyd.  
Whitehal. *Acknowledge* letters of Oct. 3 and Dec. 4. We have communicated to the Lords of the Admiralty what you write in relation to French and Spanish ships at Carthagen *etc.*, and to Capt. Gardner what you write in relation to the Serjeant's pardon, who promised us to send a triplicate of the said pardon by the last packet boat. We are glad to perceive by your last mention'd letter that there is so good a vent for our manufactures on the Spanish coast, and we hope that due care being taken to prevent the irregularities of the privateers formerly complain'd off, that trade will increase to the advantage of this Kingdom as well as to the benefit of the Jamaica Traders. You may expect in a short time the arrival of the new Governor who is upon his departure from hence. [*C.O.* 138, 13. *p.* 322.]

Feb. 19. **664.** Mr. Popple to George Lillington. *Acknowledges*  
Whitehall. *etc.* of Sept. 14 and Nov. 2. There is nothing in them which requires a particular answer, their Lordships not doubting but that by this time you have received their letter of Oct. 26, as also H.M. directions in relation to the nominating of a Treasurer for Barbadoes. You may expect in a short time the arrival of the new Governour, who is now upon his departure from hence. [*C.O.* 29, 12. *pp.* 32, 33.]

Feb. 20. **665.** Col. Tailer to Lord Dartmouth. I most humbly thank  
London. your Lordship for giving my petition to H.M. I have since waited upon Mr. Granville, who assures me he has received no  
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directions in that matter, *etc.* Col. Nicholson has left me to my great surprize, and I am att a very great expence, waiting to be dispatcht. *Prays* that he may have his pay and returne to New England by Fleet now ready to sail. *Signed*, William Tailer. *Addressed.* 1 $\frac{3}{4}$  pp. [*C.O.* 5, 898. *No.* 5.]

Feb. 21.  
Vintner's Hall.

**666.** Sir Gilbert Heathcote to [*? Mr. Popple*]. *Repeats* recommendation of Samuel Moore to fill the vacancy in the Council of Jamaica, as "being one of good naturall parts, improved by a liberall education at Wadham Colege in Oxford, has a good plantation and estate in Jamaica, where he now is, and where he will probably end his days, being marryed there," *etc.* *Signed*, Gilbert Heathcote. *Endorsed*, Reed. 22nd, Read 26th, Feb., 17 $\frac{1}{11}$ .  $\frac{3}{4}$  p. [*C.O.* 137, 9. *No.* 32.]

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**667.** Commission and Instructions to George Evans to be Attorney General of South Carolina. [*C.O.* 5, 290. *p.* 11.]

Feb. 21.  
Craven House.

**668.** Commission to Charles Craven to be Governor of South Carolina. *Signed*, Craven Palatin, M. Ashley, J. Colleton, J. Danson, Beaufort, Carteret. [*C.O.* 5, 290. *pp.* 12-14.]

Feb. 21.

**669.** Edward Jones, Secretary of Bermuda, to the Council of Trade and Plantations. Lord Sunderland upon his removall took with him all such papers as were then in the office and hath not yet delivered the same over to the Lord Dartmouth who succeeded him. *Prays* that a duplicate of Representation of Jan. 3, 170 $\frac{9}{10}$  may be sent to Lord Dartmouth to be laid before H.M. *Signed*, Ed. Jones. *Endorsed*, Reed. 21st, Read 22nd Feb., 17 $\frac{1}{11}$ .  $\frac{3}{4}$  p. [*C.O.* 37, 9. *No.* 15: and 38, 7. *pp.* 2, 3.]

Feb. 22.  
Whitehall.

**670.** Council of Trade and Plantations to the Queen. *Refer* to repeal of Act of Virginia for granting of lands *etc.*, (*v* April 17, 1707) and subsequent Instructions as to the method of granting them. Upon the arrival of Mr. Spotswood and the publishing of his Instructions, an objection was made to the taking up of lands upon the terms therein mentioned, for that a law having pass'd there in Oct. 1666, declaring what is meant by seating of lands, while such law continued in force there could be no other terms prescribed for the seating of such lands. By that law it is enacted "that the building a house and keeping a stock one whole year upon the land, shall be accounted seating, that the clearing, planting and tending one acre of ground for one year, shall be accounted planting; and that either of these shall be adjudged sufficient performance of the condition in the patents," but this Act does not ascertain the number of acres whereof one is to be cleared, planted and tended as therein declar'd, nor does it specify what sort of house is to be built, or what number or kind of cattle are to be reckoned stock, within ye intent and meaning of that law, so that if a patentee taking up 10,000 acres clear one, and builds a wooden hutt of about 12 foot square, and turn a few hoggs on the land, that will by the said Act be accounted a

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sufficient seating and planting of the said 10,000 acres, which we humbly conceive is very unreasonable, and may bring all the remaining ungranted lands in that Colony into a few rich men's hands, and by consequence a discouragement to such persons as might go to settle there; for which reasons, we humbly offer that your Majesty be pleased to signify your disapprobation and disallowance of the said Act, whereby your Majesty's Instruction will then be the only rule for granting of lands in that Colony. And if your Majesty shall be graciously pleased to permit the Assembly to enact the said Instruction into a Law, we have no objection thereunto. [*C.O.* 5, 1363. *pp.* 249-252; and (*rough draft*) 5, 1335. *pp.* 84-88.]

Feb. 22.  
Whitehal.

**671.** Council of Trade and Plantations to the Queen. Representation relating to the boundaries between Virginia and Carolina. *Propose* that the Lords Proprietors of Carolina be instructed to appoint two new Commissioners to make a return in conjunction with the Virginia Commissioners within 6 months of due notice being given by the Lt. Governor of Virginia of the time and place he shall appoint for their first meeting *etc.*; and that no grant be passed of any of the lands within the controverted bounds, until such bounds be ascertained, *etc.* (*Set out, A.P.C. II. pp.* 588-593 *q.v.*) [*C.O.* 5, 1363. *pp.* 252-261; and (*rough draft*) 5, 1335. *pp.* 92-103.]

Feb. 22.  
Whitehal.

**672.** Council of Trade and Plantations to the Queen. *Reply to Feb. 9.* We have no objection why your Majesty may not approve Charles Craven as Governor of Carolina, provided he qualify himself as the Law requires, and that he give good and sufficient security as usual, a bond of £2000 sterl. for his due observance of the Acts relating to Trade and Navigation and his Instructions touching the same, *etc.* [*C.O.* 5, 1264. *pp.* 265, 266.]

Feb. 23.  
Annapolis  
Royall.

**673.** A Journall of ye Travails of Major John Livingstone from Annapolis Royall in Novia Scotia to Quebeck in Canada, from thence to Albany and soe to Boston, begun Oct. 15, and ended Feb. 23, 17<sup>10</sup>/<sub>11</sub>. Sunday morning, Oct. 15, I recd. orders from Genll. Francis Nicholson, Govr. Saml. Vetch, and ye Council of War to prepare to goe to Cannada, and received from them a pass and instructions, with a letter to ye Govr. of Canada. And Monsr. Subercase, late Govr. of Port Royall for the King of France on his part ordered ye Baron de St. Casteen to goe in company with me, and also gave us his pass for safe conduct in our journey; and ye same day the Genll. with gentlemen embarkt in order to goe to Boston. I waited upon him on board H.M.S. Dragon, Capt. George Martin, Commander of ye Fleet, where it was ordered that a sloop should carry me as far as Penobscot, a Plantation of Indians, under ye French interest (about 80 leagues from Annapolis Royall) from whence I was to travel by land to Cannada. Oct. 16-21. *Describes voyage.* About 10 of ye clock we came up with Little Menan, and from Little Menan to Squeek

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Point three leagues course W., and then steered N.W. 4 leagues up a good channell. We came here to an anchor in 15 fathom water. Monsr. Casteen sent Monsr. Belell and an Indian named Victor in my birch canoo to look for some Indians to goe on our journey wth. us; who were to return ye next day. The harbour was very good, and I named it St. Casteen's harbour. *Oct. 22.* My provisions was all gott on shoar; there came an Indian in his birch canoe alongside and landed where our provisions were, and soon after brought his family there with him, *etc.* *Oct. 23.* M. Belell and Victor returned, and told us they had met wth. some Indians, but could not perswade them to come till the sloop was sailed; they had met with such bad weather that my canoe was staved all to peices, so yt. we were forced to stay here for want of canoes; they alsoe brought wth. them a French man, and I went on shore and lodged wth. St. Casteen and some Indians. *Oct. 24.* This day ye wind was moderate and I discharged ye sloop. M. St. Casteen sent Victor with two Indians more to ye village of Penobscot 30 leagues to gett canoos and Indians to goe with us to Canada. I here bought snapsacks of Mr. Moor, and gave him order to Mr. Borland for payment. About 6 a clock afternoon, M. Casteen, myselfe and servant three French men, and one Indian in 3 canoes went to M. Casteen's house about 3 leagues from ye landing-place; here I had very civill and friendly treatment *etc.* *Oct. 26th.* I bought a new canoe and padles of John Denell, wch. cost 92 livers, and I hired M. Belell and Denell and another man to goe with me to meet ye Indians yt. were to goe to Canada, and gave them 4 livers per diem; we embarqued about one a clock afternoon, and M. St. Casteen with his canoe and men went with us; we lodged that night at ye point where our things were. *Oct. 28.* The wind blew extreem hard till 2 a clock. About 10 we took our canoes, and with much difficulty crossed a bay, and one of our canoos filled halfe full of water; at last we came to a very narrow place full of rocks all bare at low water, and no passage our course S.W., we then opened a large sound, and an Island on ye South, and ye main on ye N.W., where we were forced to stay till two a clock in ye morning, then the wind duller'd, and we embarqued into our canoes again, and crossed two bays each four leagues wide, to ye southward at a distance we saw abundance of Islands. The last night we killed a goose and seven ducks, and there came an Indian and his squaw and two children to us, and said he had been fighting against the English at Winter Harbour, and they had killed three and taken six prisoners. This last 24 hours we have gone 10 leagues. *Oct. 29.* This day we steered N.W. about 12 leagues and then went up a small river about one league, and there met a carrying place about a mile long, wch. brought us into a Bay of the River of Penobscot; we carried most of our things over, except our canoos, we passed Great Bays in this day's voyage and saw abundance of Islands to ye S.W. and W. of us, all ye east side is yt. main land; we this day killed about a dusn. ducks. *Oct. 30.* The weather clear, *etc.*, we brought our canoos over ye carrying place, and about nine in ye

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morning entered them and departed thence and about 10 a clock we came to a wigwam in wch. was a squaw, and some children, she told us her husband was gone a hunting, and directed us to an Island called ye Island of Lett, wch. was over against a ruined fort called Shamble formerly taken by ye Dutch, where we might probably meet with Indians, we forthwith sett forward, where about 12 a clock we arrived, our course W. and W. by South 3 leagues ; and about one of ye clock there arrived about 35 canoes from Penobscot and a Jesuitt, Pier La Shas, with them and one of ye English prisoners yt. was taken at Winter Harbour, who said there were five more taken wth. him, and 3 killed in Oct. last, and that there was 90 canoes and about 150 Indians : here we lodged this night. December (*sic*) 31st. We stayed still at these Islands for ye Indians that were gone another way to Mons. Casteen for us ; Mons. Belell, John Denell and two french men more returned home, and gave Casteen orders to receive at Quebeck what I was to pay them for their assistance thus far ; here I bought for my journey six pair of Indian shoes cost 18*d.* per pr., a bear skin 9*s.*, six pair of snow shoes cost £3 12*s.*, and wrote by Belell to Col. Vetch and oblidged myselfe to pay at Quebeck 30 a ps. for ye 3 French men. Nov. 1st. Ye Indians yt. we waited for arrived this evening, and brought us word that ye English prisoner yt. went a hunting with his master had made his escape, and carryed away his master's canoe and gun and left him alone on an Island, whom they by accident mett there and brought of with them. This relation set ye Indians in such a fury yt. nothing but my life could satisfie them, saying I had advised ye prisoner to run away and die I should, and one of them flew at me with his hatchett, and taking hold of my collar was about to murder me immediately, but ye Baron St. Casteen interposed and endeavoured to pacifie them, saying I was an Ambassadour ; they replied ye English killed some of their Penobscot men yt. they sent as Ambassadors at Casco, and now they had this oppertunity they would kill me, but by Casteen's perswasions they desisted for ye present. This night a great part of our wigwam was blown away, and we exposed to ye weather and were wet to ye skin, and under apprehensions of being killed every minute, our bloody entertainers continuing their rage in such manner yt. I was at last forced to lett out all my kegs of rum for fear of ye event, if they should gett that in their hands, and we suffered much after in our journey for want of it. Nov. 2. This day many more Indians arrived in their canoes, who were of ye same mind with ye other yt. I must be murdered, and an unspeakable noise and clamour was made amongst them, so yt. all this while death was expected by me, but Mons. Casteen endeavoured to pacifie them, and had it not been for him I had certainly lost my life in a barbarous manner. I made a present of some Indian jewells and tobacco to ye cheife men among them, and to those six men who were to goe with us, who would not stir till I promised them £15 a man for their journey, and Mons. Casteen told me they alwayes had so much for a journey in summer, and we might expect this ten times

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worse. This night they were something better pacified, and promised us we should depart for Cannada ye next day ; here arrived an Indian in ye evening from thence who told me ye snow was knee deep upon ye mountains and ye rivers full of ice, here I bought six pair of Indian shoes and four mattunyes to carry with *etc.* Nov. 3. M. Casteen, myselfe and servant wth. six Indians embarqued, and went six leagues up ye River of Penobscot, our course generally N.E. and N.N.E. ye river very crooked, and we took up our lodging at ye west side of it ; we me[t] two canoos of Indians in our way. Nov. 4. We imbarqued very early and were pestered with ye ice, and at 10 a clock met 5 canoes of Indians and went on shoar and eat our breakfast together, they presented us with a bever ; at ye Riplings ye water runs very feirce, and ye canoe in wch. all my cloaths and provisions and my fusce were oversett, and I lost all but what was about me, as good fortune would have it, I had my letters from ye Generall, Govr. Vetch *etc.* in a tin box in my pockett and saved them. Lost alsoe in said canoe a bag of porke and one of pease and one of bread, and my blankett yt. I had to cover me, we spent some time in looking our things. The water run so prodigious strong yt. one of ye Indians were drowned when ye canoe oversett, we went nine leagues, three of them against ye Riplings, ye River continued very crooked, our course generally N.E. and N.N.E. Nov. 5. We began our journey this morning with a carrying place and underwent great difficulty by reason of ye ice and extreem cold, ye weather cloudy with small snow *etc.* Ye carrying place was on ye west side of ye River, about a mile long course N.N.E., and then west about one league, and came to another carrying place on ye same side of ye River, and about ye same length very bad way, about two leagues farther I met another carrying place about a mile and an halfe long, on ye east side of ye river, thus far ye River runs N.N.E. generally ; here it parts into three branches, one runs E.N.E., one N.N.E., ye other N.N.W., ye branch that runs N.N.W. is right over against ye upper end of ye carrying place, where we crossed ye River, we took ye westernmost branch, and about 3 leagues farther met another carrying place which is a small Island 200 yards long, and about four leagues farther we met a river yt. runs to ye westward, wch. we left, and alwayes took ye easternmost ; about a league farther we came to a carrying place, and then mett with Riplings for two leagues, and travel'd a league farther and took up our lodgings, where was two wigwams of Indians. I hired one Indian here to goe with us, instead of him we lost. This day we found a bever in a trap, wch. gave us all a supper. This River runs N.W. and N.N.W. very crooked, and ye land extreem low, we travelled this day 15 leagues. Nov. 6. We embarqued very early in ye morning, we mett with much ice, and about 30 bever dams, and were forced to unlade our canoes at most of them ; on the East side of ye River are two carrying places, one halfe a mile long, ye other a mile and halfe long, and then came into ye same River again, and were forced in many places to draw our canoes for want of water, at ye west side of this little River, we carried our canoes, and took up our lodgings

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at the foot of ye carrying place, having this day travelled 12 leagues. This River runs N.E. and N., and chiefly N.N.W., and very crooked. *Nov. 7.* At night snowed hard soe that we had it knee deep in ye morning. We marched over a carrying place three mile long very bad way, then went about two miles farther up ye River, and on ye east side of ye River mett with another carrying-place, ye way extraordinary bad about a league, which brought us to a lake about a mile long and ye same breadth, and were forced to break the ice ye whole length, and landed on ye other side with much difficulty, and found a carrying place of 3 leagues and halfe long, very bad way, course N.N.W. ye trees markt; we came to another branch of Penobscot River about 200 yds. wide, and we went four leagues up ye River, mett a Ripling, and had almost lost a canoe. We went this day 11½ leagues, and took up our lodgings on the west side of sd. River. *Nov. 8.* It snowed very hard till 9 a clock in ye morning, ye wind N.W., we sett out then and went about a league and mett with a Ripling, and about a league and a halfe farther come to a carrying place a mile and halfe long, and then went two leagues and came to another carrying place of about ye same length, both on ye East side of ye River ye trees marked, course N.W., and then ye River widened in ye form of a lake about one mile, we were about four leagues and were forced on shoar (because ye wind blew extreem hard at N.W.), and took up our lodging upon a point on ye east side. It snowed pretty much this day; we travelled about 9 leagues course N.N.W. and N.W. *Nov. 9.* We began our journey early in ye morning, weather clear and very cold. When we turned ye point mett a great sea yt. filled our canoes halfe full of water, and was ice as it fell, the River a full league wide, and so continued for 3 or 4 leagues, without Islands, which rendered ye passage very dangerous, as well as difficult; at ye north side we mett with ice for 500 yards, wh. forced us to much toile and labour to breake through, and about a mile farther up a little River mett a small carrying place, and then went up sd. river, wh. was full of Riplings for two leagues, and then came to another carrying place, where we took up our lodging and travell'd but seven leagues, our course cheiffly N. and N.N.W. We killed a small bever this day. *Nov. 10.* The weather clear and cold, we began our journey this morning without our canoes, they being soe torn and cut with ye ice yt. they were rendered wholly unserviceable to us, having passed over a carrying place a league and halfe long we came to a pond full of ice, in crossing of wh. I fell in over head and ears and wet me through, being gott out my cloaths immediatly froze stiff on my back, and lost ye key of my watch, which much troubled me, fearing it would be unfitt for further service in ye journey; we came soon after to a carrying place a league long, our course all north, the trees here were markt, wh. brought us over; at 3 a clock we mett another pond about a league and halfe long and two mile wide, some part of it froze, but not hard enough to bear us; so was forced here to take up our lodgings, and to add to our perplexity found our provisions began to prove very shortt. *Nov. 11.* This last 24 hours we had abundance of rain and snow, and could not travell

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this day, so made us a wigwam. *Nov. 12.* The weather was now fair, ye wind N.W. not very cold, soe begun our march round the S.E. side of ye Lake, ye ice being too weak to bear us, and went two leagues course S.E. and E.S.E. two leagues, E. 3 leagues, N.N.E. two leagues, and N. one, and N.N.W. one, where we came upon a carrying place yt. goes from ye lake we lay at to another; this day we went eleven leagues in very bad way and thick woods, soe yt. did not forward on our road above 3 leagues, at night we took up our lodgings at ye west side of a small brook yt. runs into ye N.N.W. side of ye lake, at this carrying place ye trees are markt. *Nov. 13.* Provisions now began to grow very short, and we were forced to continue at our sd. lodgings this day and send ye Indians a hunting for bever, and had ye good fortune to kill four, wh. gave them a supper as well as breakfast, for they had nothing else that day. This last 24 hours we had good weather till 7 at night, and then snow all night. *Nov. 14.* We began our journey this morning over a great mountain one league and halfe up, and about a league down, and came to a small lake a mile long ye ice good, wh. we passed and came to another carrying place a league long, our course all north, the trees here were marked wh. brought us to another Lake 2 miles long, went over ye ice very thin, it bent under us every step we took, but at last gott over wth. much difficulty and risque of our lives, being forced to creep on our bellys halfe ye way, and it rained and snow'd all day, ye wind S.E., at length we came to a carrying place a league long, our course still N., and then to Lake which not being froze forced us to goe round ye South end of it all along into rocky way, and thick of bushes hardly passable, we went S.E. a league, and E. a league and halfe and N.E. a league and N. a league, and forced to wade over severall rivers as high as our waste, we then came to another lake about two miles over, course still N. where we took up our lodging on the north side, the ice good and thick. We made a wigwam, were all wett to ye skin and had travelled very hard all day about 10 leagues, and now our bread was all spent. *Nov. 15.* We began our march early this morning, the weather very stormy with wind, snow and cloudy, and went over a carrying place two leagues course N.N.W. generally the trees mark't, we then came upon a lake and went N.W. a mile, and then W. a mile, and full of islands, and there stop't, and sent two Indians to ye great Lake to see if it was froze; they brought us word no ice, which indeed was very unwelcome news, the course they went is west, there is but a small carrying place from hence to ye great Lake; now we resolved to head ye great Lake, and steer'd north over ye little one, a mile, and went into ye woods N.E. two leagues, and then came upon a branch of the Great Lake and cross't it two mile over course N.E., and then crossed a neck of land a league, and came upon another branch a league over course E., here we could see into ye lake at least 10 leagues W.N.W., we now steer'd S.E. a league, and came to another branch a league over S.S.E. and a mile over another branch course south a league, and then another branch a mile over S.E., and another ye same course two mile over, and another

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a mile over south, between all these branches there are small necks of land, and extraordinary bad way, and thick of cedars and spruce, but ye ice strong which was some comfort to us, in ye body of ye lake and ye branches are abundance of Islands ; we took up our lodgings upon a neck of land, having travell'd this day extreem hard 13 leagues, and were hardly put to it for provisions. Our supper was two bevers, which an[d] Indian killed and was a feast among us all. *Nov. 16.* This morning early we began our march, and went cross a neck two leagues course S.E., and came upon a small river, which went into ye lake N.E. halfe a league, and cross't another branch one league, and then travell'd alongside of ye Lake two leagues very bad woods course east, we then left it, and steer'd S.E. four leagues through ye most prodigious, dolefull woods yt. ever I saw ; here we took up our lodging the weather extreem cold and cloudy, and ye wind blew violently and it snow'd till morning. Travell'd this day eight leagues and halfe. *Nov. 17.* We sett out betimes and travelled very hard, ye woods being something better than before, and after we had gone about six leagues, came to a river about 100 yards wide, wch. we were forced to wade over, some places above our midles, this River runs into a great Lake course W.N.W., and about 6 leagues farther we took up our lodging having mareht 12 leagues, our course N.N.E., this night we killed four bever, upon wch. our Indians feasted all night, having no regard to ye shortness of provisions, for they never make two wants of one. *Nov. 18.* We sett out betimes in ye morning, ye wind S.W. blew hard and snowed ; about 10 a'clock we came to a Lake a mile over, ye ice good, we travell'd 4 leagues : and about 4 leagues farther met a large lake of  $3\frac{1}{2}$  leagues long, and about a league over, with great bayes in it, and extreem bad woods round it, we was forced to goe ye length of it ; the ice was here soe very thin yt. it bent in waves under us every step we took, and sometimes were forced to creep on our bellyes with a long pole in our hands to save us if it should break ; this was hazardous to ye last degree, and had we not been at such scarcity of provisions, would never have dar'd to be so venturesome ; but Death was before us, and ye impossibility of heading ye Lake seem'd as formidable as starving, besides ye Indians were resolved to goe over being sharp sett with hunger, as well as we, wch. caused us to doe now, what at another time would seem little better than madness to doe, but blessed be God at last gott all safe over ; there are abundance of Islands in this Lake, wch. is ye head of one of ye branches of Penobscot River, here you see the whole length of ye Lake, and near the N.E. end a great bay, runs S.W. ; we went a league down sd. River on ye ice. This day's journey was  $12\frac{1}{2}$  leagues ; we killed one hare this day and rested after our melancholly journey. *Nov. 19.* It was this morning very bad weather, ye wind S.E. with abundance of rain, however we began our march early, and went along ye side of one of ye branches of Penobscot River a league North, and then mett with ye greatest easternmost branch, wch. runs W. and N.N.W. generally ; here ye ice was good ; but we were forced to waid up to ye ankles by reason of ye rain ; we

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went up sd. river 5 leagues, and then it run S.W. ; here comes a small river into ye great one at ye North side, wch. we took and went a league up ; it runs cheifly N.N.W., but very crooked, we waded up ankle deep on ye ice, which was very thin, but gott over safe, we had travelled seven leagues this day and were all wett to ye skin, myselfe very ill with a flux occasioned by ye colds, and scarcity of provisions ; we took up our lodgings on ye west side of ye Little River and made a wigwam. *Nov. 20.* It was still bad weather and rained till 8 at night, and then snowed all ye rest of ye night, ye wind N.E., were forced to continue here this day, there being no travelling, ye rivers being too high and ye ice too weak to bear us. Our Indians killed one bever. *Nov. 21.* We could not yet remove from our lodgings, ye river being soe high and ye ice all thawed and gone, and extreem bad weather with snow and ye wind still N.E., we gott no provisions in hunting, so were forced to hall very shorte. *Nov. 22.* Still snow and bad weather, ye wind N.E., however we ventured on our journey and travelled on ye South side of ye Little River N.W. three leagues and then came upon a Lake which drowned the land very bad, some of our company fell in severall times. Our course was North 3 leagues, extreem bad travelling, the water being ankle deep upon ye ice, we were then forced to leave yt. and struck into ye woods, our course N.W. 3 leagues, the woods very bad, and hardly passable, we travell'd eight leagues this day, and here took up our lodging, having killed 4 parteridges in our march. *Nov. 23.* The wind blew hard at N.E. with snow, and extreem bad weather, nevertheless began our march, and had a fatiguing day of it. About two in ye afternoon we came cross our own track, soe found we were out of our way, ye course we intended was N.W., we were forced to leave a small river by reason ye ice would not bear us, wch. was much to our disadvantage. We travelled this day hard at least 10 leagues, and beleive we did not advance five on our way ; we this day killed two parteridges, and our provisions grows very shorte, soe yt. we have but one small meal a day. *Nov. 24.* The weather being clear but extreem cold N.N.W. wind we begun our march early this morning, and about 12 a clock we came upon a bever dam, and had ye good fortune to kill a bever, wch. was very acceptable to us ; the woods here were very bad to travell, soe went but 8 leagues this day, and at night took up our lodgin at ye foot of a large mountain. Our course was cheifly N.W., we had a good supper of ye bever, which was more than we had three days before. *Nov. 25.* Our breakfast this morning was a walk over this mountain, wch. was prodigious high and steep, course N.W., with great fatigue arrived to ye top, and could see a vast way, all round it, tho' not with much pleasure. About 12 a clock we came to a Lake two leagues long and a mile wide, here had formerly been a wigwam and trees marked for two leagues on ye other side of it ; we then cross't a river which runs S.W. and mett with great difficulty, and about a league farther we took up our lodging, having this day travell'd eleven leagues, wh. extreemly tyred us, the ways were soe very bad, the weather was pretty tollerable all

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day, ye wind N.W., but at night it came about S.E. with rain and snow. *Nov. 26.* The weather continued stormy and tempestuous with snow, and rain, wind S.E. We travell'd but 5 leagues, all wett to ye skin, and nothing to refresh us (inside or out) our shoes torn of our feet, and ourselves almost out of heart, we sat down by a small brook, which runs North, and built our wigwam, sent our men a hunting, who had ye good fortune to kill a bever, all our other provisions salt and fresh were spent, we eat ye bever and made shoes of ye skin, which was some releife to us. Our course this day as near as we could guess was most N.W., these woods are ye worst that ever I passed. *Nov. 27.* We went out all hands bever hunting this day, the storm and snow being soe violent could not travail, we killed two bevers, were wett to ye skin, and return'd to our wigwam, wind still S.E. *Nov. 28.* The snow continued, nevertheless began our march very early without our breakfast, found it intolerable travelling through thick bushes and trees that almost tore our flesh, but we marched very hard, and about one a clock came to a River wh. runs E.N.E., and we cross't it with great hazzard, and on each side was ye worst woods that can possibly be imagined, this day travell'd 10 leagues, course generally N.W., we had nothing at all to eat only as we bark't ye trees, of which I eat my supper. *Nov. 29.* This day was very unsteady weather, sometimes snow, and sometimes clear, ye morning tolerable travelling, but the midle of the day soe bad, we thought we could never gett through, but towards night something better, we travell'd at least 10 leagues passed severall small rivers, but mett no living creature, and reduced to extreem want, forced to eat ye bark of trees and ye roots. *Nov. 30.* It was cloudy, wind N.W. and snow, we sett out and travailed very hard, pretty good woods, about 9 of ye clock came to a river which runs South, and about a league farther found two wigwams where Indians lived last winter, and about 11 a clock came to a Lake, about a mile every way, ye ice good, and had ye good fortune to kill two porcupines, wh. weighed about 8 lb., and was a great releife to us, we travailed 9 leagues this day, course generally N.W. *Dec. 1st.* Rained and snowed, we travailed extreem hard, ye woods pretty good but very mountainous. About eleven a clock mett two small rivers run N.N.E., wh. they say are branches of ye River St. Johns. Just at night arrived at ye top of a prodigious high mountain from whence we could see ye mountains on ye north side of Quebeck, we lodged on ye west side of this mountain having travail'd 12 leagues all fasting. *Dec. 2.* This morning march't very early, and about 10 came to a small brook which runs north, here was a bever dam, spent great part of ye day here in hopes to meet with provisions, but gott none. This day travail'd 6 leagues almost spent for want of victualls. The last 24 hours had much rain, which rendered ye brooks almost impassable, they were soe high, the wind still at South. *Dec. 3.* We travailed hard till 2 a clock, were all wett to ye skin, spent much time at a bever dam, but gott nothing, wh. discouraged us very much, ye ways were much better than before. We travailed

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8 leagues, course cheifly N.W., and took up our lodging, being very weak, and faint for want of food. It was very cloudy with rain and snow a foot and halfe thick. *Dec. 4.* It was very heavy travailling by reason of ye snow, nevertheless we travailed extreem hard all day course North, at two a clock came to a great River, which made us jump for joy, thinking it was Quebeck River, but as much discouraged when we saw our mistake, were forced to travail alongside of it, the ice was so rotten, it runs north, and we took up our lodging within night; had nothing to eat, and was very faint, we travailed 11 leagues this day, very unsettled weather, the woods and bushes covered with snow, and this night rained ye first part of it, and snowed ye latter part at least a foot and halfe deep. *Dec. 5.* Our scarcity of victualls had almost reduced us to ye last extremity, we were weak and faint, and ye ways soe heavy and sloppy wth. snow and rain, yt. we were now almost ready to give out. Now we went over ye river, wh. was soe rotten, one of our Indians fell in, and we had like to have lost him; we travailed on with as much expedition, as our feeble circumstances would admitt, and at four of ye clock we were much fatigued, and came to a house. I cannot express ye joy I felt at so comfortable a sight. We went in and had what the house could afford to refresh us, staid till near night, rewarded ye good man whose name was D'bourne, and went about a league farther, where we saw three housen more, which were at ye side of ye Quebeck River, and found very civill treatment from one John Demare, where we lodged, having travailed 12 leagues this day, ye weather overcast, wind N.E. *Dec. 6.* This morning Monsr. Casteen sent an express to ye Governor Generall to acquaint him of our arrivall, who immediately sent Monsr. L'favour and two canoes with some wine and brandy to present us, which was very acceptable to us, soe we proceeded on our journey to Quebeck, where we arrived about sun sett. I immediately waited upon the Governor and delivered him my letters; He received me with all imaginable marks of civility, and ordered me lodgings in ye fort in his house. *Dec. 7.* I had ye Governor's slay and paid a visitt to ye Intendant, who very hansomly received me, and soe did all ye Gentlemen in town. *Dec. 8.* I waited upon ye Governor with my Instructions, which were interpreted by Monsr. Deleno, one of ye Councill. I desired yt. I might be dispatch'd without delay, wh. ye Governor promised me I should. I took up of him 1000 livers french money to buy myselfe and servant cloaths, for I had not so much as a shirt for to wear, that I had on I had worne 44 days, my cloathing were all lost when ye canoe oversett, severall English prisoners came to visitt me at my lodging, whom I supplied with money, I demanded of ye Governor Mr. Williams daughter, he told me it was not in his power to gett her; she was among the Indians, and as for ye prisoners in their hands, he could not ingage for their exchange, for they were his Allies. *Dec. 9.* I went in ye Governor's slay attended by an officer and the interpreter to wait upon Monsr. Deleno in ye lower town, where severall English prisoners came to see me. *Dec. 10.* I supped at ye

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Intendants, was very handsomely entertained, ye Governor, Gentlemen and Ladies of ye town were guests, and were diverted with musick and dancing. *Dec. 11.* I made some visitts in town, at night ye Governor treated nobly with musick and dancing. This day Johnson Harman, an English prisoner taken at Winter Harbour came to see me. *Dec. 12.* Severall prisoners were admitted to see me, they pleaded necessity of releife, and I lett them have £24 6s. money, at ye rate of 8s. per ounce. *Dec. 13.* This day I applyed myselfe to ye Governor General, and earnestly desired him to dispatch me. He said that he had sent an expresse to Mount Royall for two gentlemen to goe with me for New England, and that he could not dispatch me till they arrived, which would be in a few days. I with impatience waited their coming. *Dec. 20.* I paid ye four Indians yt. came with me 60 peices of eight per man for their journey. *Dec. 21.* Being their New Year's Day sup't this night at the Intendants, had a splendid entertainment with musick and dancing, and had ye drums and musick at my door, and many of ye English prisoners came to me this day, to whom I gave money, and to ye servants of ye house as is customary. *Dec. 24.* The Gentlemen who are to go with me arrived, names M. Romvelle and Depeiu. *Dec. 25.* I had many English prisoners and others to wish me Merry Christmas, wh. cost me much money, amongst them; The Govr. Genll. had a supper this night, where were at least 50 persons of distinction, and ye whole entertainment in great splendour. *Dec. 26.* The weather was very moderate, soe as was hardly ever known at this time of year. The Governor Generall and myselfe were invited to sup at ye Intendant's, where was much company, great plenty, with dancing and musick to admiration. *Dec. 27.* I moved ye Governor for my dispatch, telling him I was very uneasie at so long stay, and altho' ye ways were so bad, I would venture for New England, he told me it was impossible for me to pass ye Rivers, ye ice not being strong to bear me, but said he would dispatch me speedily. *Jan. 1st.* This being our New Years Day, ye English prisoners came to see me, and wish me a merry new year, I knew their meaning and gave them money. *Jan. 2.* The weather is now very cold. I am in hopes in a few days ye ice will be strong enough to bear us, yt. we may sett forward on our journey home. *Jan. 3.* I gave ye Govr. Genll. Bills of Exchange on Mr. John Borland in Boston, for 4000 livers I had of him for H.M. services. *Jan. 4.* We had news from Mount Royall yt. ye River was not yet froze over. *Jan. 5.* I discharged all my debts, yt. I might be ready to goe at a minute's warning. *Jan. 7.* I discoursed with ye Govr. Genll. about his answer to Genll. Nicholson's letters, he promised to give me a copy of his answer in English and sign it for a true copy, and when M. Romvelle and M. Depeiu came to Boston, if Genl. Nicholson should be gone, they are ordered to deliver his letters to me, and promised yt. I should see their Instructions before my departure. I supped this night at ye Intendants, was there nobly entertained at ye expence of his son. I am in hopes to begin my journey to-morrow for Mount Royall; a post arrived from Morall, and

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brings news of peace. *Jan. 8.* We had stormy weather and snow this four and twenty hours till ye afternoon, then cleared up cold; M. Deleno is translating ye Governor's letters to Genll. Nicholson, which is ye only thing I now stay for. *Jan. 9.* I have now all ye letters, am obliged to stay this day for M. Romvelle and Depew, who are not yet ready. I had a great entertainment this night at ye Governor's. *Jan. 10.* The last 24 hours had snow and some rain, the wind N.E., this day having taken our leave of ye Govr. Genll. and Gentlemen, begun our journey in three sleys, the road pretty good, and about 5 a clock we arrived at Ponat of Trambell, where we lodged, and was there visitted by some English prisoners, to whom I gave money, one Whiting was one of them. This day we had some difficulty in passing a river upon ye ice at Cape Rose, which is 3 leagues from Quebeck, and about four to Captain Misterell's, where I lodged; my man this day was taken very sick of a fever; we have had ye wind at S.W. this day, with rain and snow till night, and then cleared up cold. *Jan. 11.* We sett out forward betimes, the wayes were very bad, and we were fatigued in crossing ye river called Jacke Corly, ye ice being very thin, we came there about twelve a clock, and two leagues farther took up our lodging, having travailed only 5 leagues this day, my good man continues very sick still. We have had ye wind at N.W. this day and very cold. *Jan. 12.* We have had bad way this day, till we came to M. Baken Corse at Port Nuff, wch. is about two leagues, then it grew something better till we came to Grondera three leagues farther, and came to Shamblin, and lodged at ye house of Madam Laranda, having this day travailed 9 leagues, we had very bad weather this day, much rain *etc.* *Jan. 13.* We could not stir this day by reason of ye bad weather, and my man is soe sick, am afraid I must leave him behind; the wind N. very cold. *Jan. 14.* This morning sett out at 5 a clock and found ye wayes better than we expected, at 7 a clock came to ye River Bastescamk, wh. is two leagues, and at 12 a clock arrived at a Cape about 4 leagues, where we were obliged to leave our sleys, being to pass three rivers in canoes, which with much difficulty by reason of ye ice we accomplished, at two a clock arrived at ye Town of Troy River, where resides Govr. Gallfatte, we waited upon him, and were obliged to goe and take a supper with him, and were very hansomly treated; I am forced to leave my man in an Hospitall in this place, he continueing so very sick, can carry him no farther; Here is a special care taken in this Hospitall of those yt. are sick. I left money with him to defray his necessary charges. We came seven leagues this day had changeable weather *etc.* *Jan. 15.* We sett out this morning at five with 3 sleys, and at three arrived at St. Franceway, and cross't ye Lake of St. Pear, which is 6 leagues, had much difficulty because the ice was so bad; at ye mouth of ye Lake Monsr. Romvelle parted from us for Mount Royall, we being bound to Shamblin, where he is to meet us. This morning before day to save time, went to see my man at ye Hospitall, who is very sick, but hath great care taken of him; we

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came 9 leagues this day, the weather clear and cold till night and then snowed, ye wind N.E. *Jan. 16.* Begun our journey very early, and at 10 a clock arrived at Fort Sorell, was civilly entertained by Capt. De Sholoine, ye Commadore, and din'd with him, having come four leagues. Here we parted from ye Great River, and took ye River Shamblee, and went up sd. River four leagues, and took up our lodgings at ye Islands of St. Torre in ye woods having come 8 leagues, this day we had snow and ye wind at N.E. till one a clock, and then clear and cold, ye wind west. *Jan. 17.* We began to march at five this morning and went 2 leagues up ye River Shamblee, but found little ice in the river, and yt. very rotten, M. Pecy fell in over head and ears, the river wholly clear of ice farther up, so forced to return to said Island, and from thence went over ye carrying place one league, and came to Fort St. Toer, and along the side of Quebeck River two leagues, and came to a fort Counter Cure, and two leagues farther was another small fort called Counter Cure, and two leagues farther another fort named --, and having travailed 8 leagues this day, we lodged at Madam Lapare's, ye weather clear and cold. *Jan. 18.* We began our journey very early and came to a fort two leagues from ye other, and two leagues farther came to a stone fort at a place called Longuill and there dined, and from thence marched cross ye woods to Shamblee, ye road being extreem bad, at 4 a clock arrived at Monseieur Artell's being five leagues, was there complimented by Capt. De Gorde the Commadore of ye Fort with other officers, and Gentlemen. Our day's journey was nine leagues, weather clear. *Jan. 19.* Here we attended for Mons. Romvelle, and ye Frenchman who arrived at 4 a clock afternoon, the same day came four Indians to goe with us to Albany, to whom I promised 150 livers per man for their journey, and spent ye rest of ye day in preparation for ye same, and in receiving visitts from severall gentlemen who came from Mount Royall to see us, we had foule weather with snow and rain this last 24 hours, ye wind southerly. *Jan. 20.* Wee getting ready for our departure to-morrow: I had a hansom entertainment made by ye Commadore Capt. De Gourde at my lodging, ye weather was good till night, then snowed till twelve, then clear till morning, ye wind N.E. *Jan. 21.* At 8 a clock this morning we began our journey being 13 of us, vizt., 8 Frenchmen, 4 Indians, and myselfe. The Commadore with severall other gentlemen yt. came from Mount Royall gave us their company as far as ye carrying place, we had sent our equipage before to Fort St. Trees, wh. is two leagues, when we arrived there found our sleads all out of order by reason of ye badness of ye way, soe went upon the ice a league, and took up our lodging a league farther at ye west side of ye river, at 3 a clock, and there mended our sleads and canoes, we came 3 leagues course S.S.W. generally, all ye way to St. Trees is riplings, we had a detachment of 8 men to goe with us three dayes; this last 24 hours had good weather till night, then snow and rain, ye wind at South. *Jan. 22.* This morning at break of day begun to move forward and went halfe a league upon ye ice, then was forced to strike into ye woods halfe a league, and come to Fort St. Johns, and from thence went upon the ice 5 leagues, and came to

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a place where was 3 wigwams, here we found 3 good canoes on ye west side of ye river, over against Small River, ye ice was very bad, and two men with 3 sleys fell into ye ice, and I wett my Journall, we went 6 leagues this day, ye course generally S.W. Here we made three sleys to draw ye canoes on, and sent two men to see how far ye ice continued, they brought word a league and halfe; we had snow and rain all this day, the wind hard S.E. We lodged this night in a wigwam. *Jan. 23.* We continued still where we were yesterday by reason of ye bad weather, wind N.E., and snow till night, and then clear and cold, ye wind N.W. *Jan. 24.* We drew our bagage a league through the woods, then took up our canoes with some of our things to cross over to ye Island of Tate, where we landed with great difficulty of ye ice, we sent back ye 8 men that we received at Shamlee, and went about two leagues farther, and mett a bar of ice, soe were forced to take up our lodging this night on the west side of ye river, we came this day 6 leagues, course generally S.S.W. *Jan. 25.* The weather clear and cold, wind N.W., we entered into our canoes in ye morning, and went about a league and mett with ice, soe were forced to return to our wigwam, not being able to land for ye ice, here we made sleys to draw our canoes, and began our march at 9 a clock, and at two met four Indians which came from Albany, had twelve days passage, brought no news, we came 7 leagues this day, course generally S.S.W., and took up our lodging at ye west side of ye Lake, about a league to ye southward of Fort Lemotte Island, where we had water at night, but in ye morning ice as far as we could see, but not strong enough to bear us. *Jan. 26.* We were forced to stay at our wigwam this day by reason ye ice was not strong enough to bear us; the weather was moderate, cloudy, ye wind at N.E., at night snow and rain. *Jan. 27.* The ice was very thin, yet we ventured 3 leagues into ye Lake, and mett with water, we then embarqued and crossed ye Lake, where we found ice in severall places, and soe was forced to take up our lodging within night on the east side of ye Lake, about a league to ye southward of Rogeo. We went this day 12 leagues, nine by water and travailed three, course generally S.S.W. ye wind was S.W., with some snow and cloudy. *Jan. 28.* At 11 a clock was embarqued and mett with a great sea, ye wind ahead, but went on our journey with great difficulty, and took up our lodging within night about a league to ye southward of ye Otter Creek, we come this 6 leagues course generally S.W., ye weather cloudy and wind S.W. till night, and then clear. *Jan. 29.* This morning sett out very early, and went 3 leagues in our canoes, and then mett with ice, wh. would not bear us, soe was forced to goe in ye woods 3 leagues to ye Scalping Point, we had very difficult travailing this day, forwarding but 7 leagues, our dogs could not draw in ye woods, so was forced to carry all, here we left our canoes; at night there came to us a Benecke and his squaw, and told us there was at ye Litle Fall of ye wood Creek ten wigwams of sd. Nation, who were gone a hunting. *Jan. 30.* This last 24 hours the weather clear. This morning had pretty good travailing till noon, then the snow thawed, and

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made it very heavy travailing, when we had gone nine leagues, we took up our lodging on ye east side of ye drowned land ; in ye morning we mett three Benecks and ten squaws drawing their canoes on ye ice. *Jan. 31st.* We sett out at 4 a clock in ye morning and travailed hard in pretty good way. Arrived at ye fall of Wood Creek about 11 a clock, which is nine leagues from our wigwam. We marched 4 leagues farther upon sd. Creek, severall places there was no ice, soe was forced to travail in ye woods ; we came this day 13 leagues, course generally S.S.W. This last 24 hours had ye weather good till noon, then snow the wind N.E. *Feb. 1st.* At 5 this morning we began our march, and at 11 arrived at ye fort at Wood Creek, and went across the carrying place, and about a mile below it we took up our lodging on ye west side of Albany River, and there made a good wigwam, this day we travailed 9 leagues, course generally S.S.W., ye weather good, ye wind S.W. *Feb. 2.* Began our journey this morning before 5 of ye clock and arrived at Fort Ingoldsby at 10 a clock ; there I left the French gentlemen, and went post to Albany, where I arrived at 6 at night, and provided for the Gentlemen at ye halfe moon. I came 14 leagues this day, waited upon ye Commissioner, and demanded horses to dispatch us for Boston with all speed, ye weather, good and wind W. *Feb. 3rd.* The Commissioner denyed to provide for ye French gentlemen, soe took up my lodgings for them at my brother Livingstone's, where they arrived at 8 a clock this night. *Feb. 4.* I forwarded as much as possible for my journey to Boston, and they promised that they would press horses for us, but I must pay all ye charge. *Feb. 5.* At 4 in ye afternoon sett out from Albany with ye French gentlemen, and went to Capt. Dowes where we lodged, and had two men and nine horses, in order for New England. *Feb. 6.* We sett out early this morning and arrived at Kinderhook at 2 a clock, and dined at Peter Martin's, lodged at Abraham Dewers, had two Dutch men to goe with us to bring ye horses back from Woodberry, must give them each 10 peices of eight and three and a halfe for each horse, we had good weather. *Feb. 7.* Was a terrible storm at S.E. with snow. We sett out about 5 in ye morning, and rode in ye snow as far as the Mannour of Livingstone. This day went 8 leagues. *Feb. 8.* I went to Jacob Vosbury's two leagues, and gott oats and necessarys for our horses to goe through the woods. *Feb. 9.* Travailed 12 leagues this day and lodged at Sacketts farm, ye weather cloudy and cold, ye wind N.E. *Feb. 10.* This morning began our journey very early, went as far as Weantinuck by one of ye clock, and at seven arrived at Woodberry, where lodged having travailed this day 15 leagues ; I sent an express to Governor Saltonstall and Councill of war at Hartford. *Feb. 11th.* This morning sett out at 5 a clock, the weather moderate, but ye snow very deep. We arrived at Waterbury and there dined, and soe proceeded and came to Farmington where we lodged having travailed this day 11 leagues, course N.E. *Feb. 12.* This last 24 hours had abundance of rain, ye wind at South. We gott to Hartford this day, and were all wett to ye skin. I took up lodgings at one Worth-

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ington's, came five leagues, course E.N.E. *Feb.* 13, 14, 15. The weather was soe bad we could not travail, the rivers were soe high, only on Thirsday went as far as Glostebury, which is three leagues. *Feb.* 16. The weather was pretty tolerable, soe we sett out very early this morning, and came to Colehester at 11 and there dined, and proceeded on our journey, and at 6 gott to New London; I sent post before to Governour Saltonstall to acquaint him I was coming, with some French gentlemen. Tra-vailed this day 15 leagues. *Feb.* 17, 18. The wind blew extreem hard so yt. we could not cross the ferry. *Feb.* 19. Being Monday we came as far as Thomsons which is 7 leagues and there lodged. *Feb.* 20. The weather not being good, could gett no farther than Mr. Champlin's, wh. was four leagues. and there we lodged. *Feb.* 21st. We sett out at 5 a clock in ye morning, at 7 at night we arrived at Providence, and lodged at Mr. Whipples, came 15 leagues this day, very bad travailing, the rivers very high. *Feb.* 22. We went to Seaconck, and thence to Billings's, being 10 leagues and there lodged. *Feb.* 23. This day we arrived at Boston. 21 pp. [*C.O.* 217, 31. *No.* 1.]

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Antigua.

**674.** Lt. General Hamilton to Lord Dartmouth. The eleaventh of December last at Nevis I recd. a letter from the Lt. Governor of this Island giving me the mallancholly advice of the death of H.E. Daniel Parke Esq., which was accompanied with an Address from the Councill and Assembly of said Island desireing that I would with all the expedition possible visitt the Island, promulge my Commission and receive the Broad Seal in regard the Government was devolved upon me by the death of H.E., which was very surpriseing and affecting in regard to the unhappy manner thereof. But understanding the miserable circumstances of that Island and the many disorders therein, and not knowing how soon the dissaster might reach the ears of our enemy, I thought it my duty immediately to repair to the same in order to allay the disturbances and to secure and defend the Island against the attempts and insults of the enemy who there was reason to fear would embrace that opportunity to make a descent thereon if in any tollerable condition. Wherefore after giveing the necessary directions for the defence and protection of H.M. Island of Nevis, whereof I was then Lt. Governor, I embarked on board a sloop the 14th of the same moneth (for want of a better conveyance, H.M.S. the *Lark* being then gone to Barbados to victuall) in whom I went to St. Christophers and there took on board two compayes of H.M. troops in order to secure and defend the sloop in case she should be attacked by any of the enemy's privateers in our passage they being very numerous amongst these Islands, after which I proceeded on my voyage to Antigua haveing first issued proclamations for the continuance of all civill and millitary officers both in Nevis and St. Christophers that were commissioned and appointed by his said late Excellency, judgeing it necessary to prevent all disputes that might be started under pretence of the expiration of the Commissions

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granted by the said Generall Parke by which meanes justice might have been in some measure obstructed. On 19th Dec. I arrived here where I found the Lt. Governor Councill and Assembly quartering H.M. troops repairing their fortifications and conserting measures for the security and defence of the Island, which my lord I must say was in a most deplorable condition, their coast naked, their fortifications espetially that of Monks Hill ruined and decayed, great part of the Militia destitute of armes, and in short everything entirely out of order, so that if the enemy had attempted the Island I doubt they would easily have become masters thereof. I shall not my Lord pretend to say who was the occasion thereof, neither can I give your Lordship so full and exact an account of the motives that conduced to the unhappy end of Generall Parke as I could wish, but this I beg leave to say, that I have the misfortune of coming to a Governement which is altogether in confusion few or no papers relateing thereto except the Commission and Instructions haveing come to my hands, the multitude in the time of action destroying them as well as the rest of the things that were in his house, so that I am very much at a loss how to proceed in severall respects, however I shall endeavour to discharge my duty with regard to H.M. honour and the good and tranquility of these Her Islands, Hopeing your Lordship will be so kind as to afford me your countenance therein, they being sincerely aimed at and desired by me. Two dayes after I arrived in this Island I mett the Lieut. Governor Councill and Assembly at Monks Hill at which time by advice and consent of the former I appointed a Generall Councill and Assembly to be held in this Island in order to enquire into the matters relateing to the death of Generall Parke, and to give oppertunity to the Members of each Island to consider and propose what may be for the benefitt and advantage of the whole, judgeing the former would not be so truely and impartially represented as by a Generall Councill who are indifferent persons, consonant to which the members of both houses yesterday mett me in this Island, expecting those of the Assembly from Nevis, whose inhabitants would not elect any Representatives to serve in this Generall Meeting tho' they were twice summoned, the reason whereof I cannot learn, so 'tis not in my power to give your Lordship advice thereof at present. But by the next I hope not onely to be particular therein but also to be capable of sending your Lordship a perfect account of the unhappy proceedings concerning the death of our late Generall by an Inquisition from the Generall Councill, who have not yet made any enquiry therein for want of time, which I very much lament, but it was not in my power to call them together sooner tho' the action happened so long since. In the meantime I here inclosed send your Lordship an Address from the Lt. Governor and Councill of this Island as likewise another from the Assembly with the coppys of severall depositions touching that matter, which I humbly beg your Lordship will be pleased to lay before H.M. in order to receive Her gracious directions therein, that I may the better know how to proceed in so difficult a point wherein all or the most of Her subjects in this

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Island have the misfortune to be engaged, soe that I doe not conceive it prudence to make prosecutions against any particular persons, fearing the attempt may be of ill consequence to this H.M. Collony, and there is noe possibilitie of prosecuting such a multitude, wherefore I have concluded to be silent untill I know H.M. pleasure therein, which I pray your Lordship will be pleased to communicate to me by the first in the interim I shall endeavour with my utmost industry to restore peace and unity amongst the inhabitants, knowing that nothing will so effectually contribute to the benefitt of H.M. and the advantage of the Island as those two particulars. Your Lordship will perceive by the Addresses (which is the most exact account I can at present transmitt, and to which I beg leave to referr your Lordship) that this unhappy tragedy happened on Dec. 7 last, since which no oppertunity from hence has offered so that it hath not been in my power sooner to give advice thereof to H.M. or your Lordship. As soon as the Councill and Assembly had finished their Address, I proposed to them the hiring a vessell to send away with the same in order to be layd before H.M., there being no vessell that was then bound from these Islands, but I could not prevail with the former to consent thereto, they alleding their circumstances would not permitt them to be at that charge, which my Lord I must confess is too true, the Island being in a most miserable condition haveing been afflicted with dry weather for a long time past, which has not onely ruined their crops, but reduced them to very great extremitys for want of provisions, and unless we have some speedy supplys from forreigne parts here are severall familys that must perish or be oblidge to leave the Island. About 3 weeks agoe I went from hence and visitted the other three Islands, from whence I returned but the 20th of this moneth, dureing my being there I examined into the account of their stores of warr as likewise enquired into the condition of their forts and platformes espetially in St. Christophers viewing the same, but to my very great concerne I find everything entirely out of order, particularly in Mountserratt and St. Christophers, their store of powder and armes in those two Islands but very small, most of their guns unmounted, severall of their carriages rotten and not fitt for service, their platformes and other works of publick defence gone to ruine and decay, so that I perceive myselfe at the head of a very naked and weak Governement, however I shall not fail to apply all the remedy in my power in order to secure and defend each of them with my uttmmost vigour, if there be occasion. Your Lordship's letter of Sept. 28 last directed to our late Genll. came to my hand by this packet, but there being nothing therein which requires an answer, I shall not now make any addition, *etc.* P.S. In the unhappy conflict there was severall of H.M. subjects killed and wounded on both sides, of which the greater number fell from those who appeared with H.E., there being 11 killed and 35 wounded all of whom save two were H.M. regular troops with an Ensigne, there being few others with him. There was also four of the inhabitants killed and eight wounded which I think proper to communicate to your Lordships that you may be

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duely apprized of the number lost in that unfortunate action.  
*Signed, W. Hamilton. Copy. 4 pp. Enclosed,*

674. i. (a) Depositions of William Plumridge, serjeant, Edward Kellsey, Edward Hardin and Jeremiah Mackdonnell, Thomas Dorom, Hugh Davis, William Mitchell, John Spencer, centinels and soldiers. There happening a difference between Governor Parke and the inhabitants of Antigua, the General ordered all the soldiers on the Island to meet at his house, and on Dec. 6th, most of them haveing mett him at his house, he declared to them that if they would stand by him, they should have all the plunder of the towne and the Plantations of all the Islanders that should be killed. Next morning before the engagement, he made the like declaration.

(b) Deposition of George Dewitt, planter. Dec. 15, 1710. On Dec. 7, being at his own plantation near St. Johns, deponent perceived a great number of men under armes in Capt. Otto's pasture, and afterwards saw them march towards the church, and as soone as some few of them ascended and got on a little hill to the north ward of the said church, he saw the soldiers or some other persons who were in armes at the house where Gen. Parke dwelled, fire at the persons on said hill, and presently after saw severall shotts exchanged by both partys.

(c) Deposition of Clement Lanier, butcher, Jan. 25, 17 $\frac{10}{11}$ . On Dec. 7 aboute one or two o'clock in the morning some negroes came to deponent and told him that a great many people had got in his house and were takeing away the beefe which the said negroes were left to watch. Deponent went to his house and found the lock broken and about 20 soldiers in it, being those that belonged to the particular guard of Genl. Parke, some of whom he saw cutting up the forequarters of the beefe, the hinder quarters being taken away before by them.

(d) Deposition of Archd. Cochran, Jan. 25, 17 $\frac{10}{11}$ . On Dec. 5 deponent saw several soldiers of Col. Jones' Regiment, commanded by Lt. Richd. Worthington, drawn up ready armed before the door of the Court-house at St. Johns, in a posture ready to fire, and upon some discourse between John Ker and some of the soldiers, he heard one Boaz, a serjt., say he was sure of his man, meaning as deponent verily beleives one of the Assembly.

(e) Deposition of John Kerr, junr., Jan. 25, 17 $\frac{10}{11}$ . *Begins as preceding.* Deponent heard some of the said soldiers say they onely waited for the word of command, upon which deponent asked them what they said and Boaz made answer, why don't you give us quarters.

(f) Deposition of Edward Byam, Member of Council of Antigua, Jan. 25, 17 $\frac{10}{11}$ . Some time in Nov. 1709,

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having received intelligence that the French had attacked, and as it was then beleived taken the Island of St. Eustatia, Governor Parke called the Council together at his own habitation to consult measures for the publick security, where they seemed under a very great concerne fearing the enemy would next attack St. Christophers, and if they succeeded would proceed to invade this Island. H.E. was pleased to say he wished he had his negroes from St. Christophers for that he would throw up a trench round his house, and then being told by deponent that the same would be of little or noe service, H.E. replied that it would serve to make termes, which deponent says was very surprizing and gave him great concerne, all which deponent did declare unto two of the Gentlemen of the Councill in about two or three months after.

(g) Deposition of John Kerr, Jan. 26, 17 $\frac{1}{11}$ . *Confirms* (d) and (e). Deponent saw the soldiers ready to fire upon the Assembly, whereupon he went to the door and askt what they intended to doe. Boaz, a serjt., answered that if the Generall commanded them to fire upon the Gent. of the Country, they would.

(h) Deposition of Edward Chester, senr., Jan. 26, 17 $\frac{1}{11}$ . On Dec. 6 about 12 at night his servant Marke Biggs came into his chamber and informed deponent that Lt. Worthington with severall armed men were at the doore with a candle and lanthorne, and that Worthington declared he would have deponent out because he had used him ill and threaten'd him. Finding the house beset, deponent took refuge in one of his storehouses, etc. He had little or no acquaintance with Worthington, nor ever gave him the least ill-usage, etc.

(i) Deposition of Mark Biggs, Jan. 26, 17 $\frac{1}{11}$ . *Corroborates preceding.*

(j) Deposition of Richard Moore, Jan. 26, 17 $\frac{1}{11}$ . *Corroborates preceding.*

(k) Deposition of William Thornton, soldier in Col. Jones' regiment. Jan. 26, 17 $\frac{1}{11}$ . *Corroborates (c). The whole, 4 $\frac{1}{2}$  large pp.*

674. ii. Address of the Lt. Governor and Council of Antigua to the Queen. Jan. 26, 1710 (11). Wee your Majesties most loyall dutifull and obedient subjects humbly crave leave to congratulate your Majesty on the great and many glorious successes with which it has pleased God to bless your auspicious reigne. It is with deep regrett that wee have occasion to lay before you the unhappy circumstances of the death of Governor Parke. *Refer to Minutes of Council and Assembly for an account of the differences between him and the inhabitants of Antigua.* It was some time in Oct. last (the Island being a long time destitute of an Assembly, and the people under great apprehensions of danger from the enemy, and wholly un-

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prepared for defence) that the Lt. Governour and some of the Council applyed to H.E. to call an Assembly that measures might be concerted for your Majesty's honour and the common safety, which was accordingly convened, and being mett a late dispute was sett on foot by H.E. concerneing the appointment of a Clerk to that house, and though it hindered publick business for some time, yet rather then it should be longer obstructed the Assembly presented to H.E. one Mr. Hinde whom they requested he would be pleased to swear and qualify for their Clerk, which wee beleive the Assembly thought fully answered H.E's. objection therein as to your Majesty's Prerogative, and accordingly wee then signified the same to him by an Address. But nevertheless the same had no effect, and when the Assemblies messages relateing thereto was delivered to H.E. he tore the same in a very great passion, alledging he would receive nothing from them to that purpose, but what was in the very individuall words he himselfe directed, of which the Assembly haveing notice took it for granted that he was resolved to proceed to no publick business whatever, and thereupon waited on H.E. in Councill (haveing first prayed access by a message in writeing setting forth therein that they had affairs of very great moment to communicate to him, and which very nearly concerned the honour and interest of your Majesty and this Governement), and then presented H.E. with an Address as they alledged assureing him they were resolved to overcome all difficulties that could be proposed that something might be done for the common security remonstrateing the dismall apprehensions they were under by some quantitys of provisions being carryed up in some flaggs of truce to Martineco to the great dissatisfaction of the inhabitants. Whilst these things were thus offered and argued, some of your Majesties regular troops with an officer came armed to the Towne-house door and being askt by some of the Assembly whether they intended to fire on them, answered they onely wanted the word of command so to do as is affirmed by some of the Representatives. Mr. Speaker haveing tendered H.E. the aforesaid Address, he was pleased to refuse it, telling the Assembly they had committed a ryott and that he would clap their Speaker in irons, which wee takeing notice of and observing severall of the Members of the Assembly greatly concerned at such threatening prayed H.E. not to esteem the Assemblys waiting on him with an humble Address to be committing a ryott, and begg'd that he would please to permitt it be read, which he very passionately refused earnestly commanding them instantly to withdraw, which they accordingly did seemingly under no small consternation and in a short time after were adjoined

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by H.E. to Dec. 7th. The account of these unhappy proceedings soon reached the ears of all the inhabitants, and that being joined with the ill conceptions and experience they had before of H.E.'s proceedings and treatment, great parts of them men of figure and good interest as well as others esteemed it reasonable and necessary to be in towne with their armes to protect their Representatives from the like or worse insults from the soldiers as they alledged. In which intervall H.E. thought fitt to order five field peices to be brought and commodiously placed about his house loaded with great and small shott: commanded all your Majesties troops to attend him in armes and sent for musketts, amunition and other stores out of the magazine. The inhabitants being come to towne and hearing what preparations H.E. had made, and being informed that the very night before some of the soldiers which were the Generall's particular guard had committed severall insolencies and outrages one of which was in breaking open a house in towne violently takeing away two quarters of beef, as also some others had threatened Mr. Edward Chester, then a member of Assembly, in his owne house, they became freshly exasperated, and thereupon the Lt. Governour with as many of the Council as were in towne, as they were oblided by oath to assist H.E. with their best advice, addressed him (*v. iii. infra*), which Address was carryed him by Col. George Gamble, one of the Councill and backed with all the pressing arguments he could use to prevent the bloody scene which afterwards happened, but all proved ineffectuall, and upon Gamble's returne to the Councill, he declared to them all that had passed betwixt him and H.E. But that not giving full satisfaction Gamble and Mr. Speaker was desired to wait on him with another address, the people then in armes declareing they had no designe or intent to hurt or injure his person praying him to discharge the troops and to visitt some other Island of his Governement that the Lt. Governour, Councill and Assembly might consider of measures for preservation of their lives and fortunes against our powerfull neighbour enemy the French, whom 'twas then feared would attack us, and thereupon by permission of H.E. had a pretty long discourse with him (*v. infra*), upon whose returne the people finding he was resolved not to remove from the Island, some of them marched up in sight of the Generall's house, upon which severall shotts were fired and by that meanes some were killed and fell on both sides amongst whome H.E. was found wounded in the thigh of which he dyed in about two houres after. *Pray* H.M. most gracious and favourable construction, being what will contribute to the restoring peace and tranquillity, *etc.* *Signed*, John Yeamans,

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Row. Williams, Edw. Byam, Will. Codrington, Hen. Lyons, Thomas Morris, Geo. Gamble, Will. Byam, Richard Oliver. 3 *large pp.*

674. iii. Address of the Council of Antigua to Governor Parke. Saint Johns, Dec. 7, 1710. Wee were prepared with an Address to your Excellency to reinforce the application wee made on Tuesday last concerneing the appointment of a Clerk to the Assembly upon the message then sent by them, *etc.*, your refuseing of which with other matters which passed betwixt your Excellency and the Assembly in the publick Court-house caused such a ferment in the Representatives and the people as had like to have produced very direfull effects; and tho' it has been our endeavours ever since to prevent anything fatall upon so unhappy an occasion; wee are now given to understand (which makes us lay the Address aside) the body of the people are so enraged upon the useage they conceive dealt them, that they think it in vaine to make any further application to you: nor do wee see it will be in our power to put a stop to the fury of an incensed multitude, and therefore think it our duty to acquaint your Excellency upon so unhappy a commotion, there seems a necessity for you to take the best and safest measures for the security and preservation of your person. And as wee are bound by solemn oath to assist you with our best advice, wee are of opinion as matters are now drove to the last extremity you cannot more effectually prevent the impending danger than by visitting forthwith some other part of your Governement and leaving the Assembly in conjunction with ourselves to concert measures by preparing wholesome laws for the benefitt and security of the whole to be afterwards lay'd before your Excellency for your approbation or disallowance pursuant to the power H.M. has invested you with, and this our opinion wee cannot but inforce to your Excellency, hoping it may have the happy success of preventing scenes of blood from ourselves whatever may unfortunately befall us from the hands of our enemyes. *Signed*, John Yeamans, John Hamilton, Edward Byam, George Gamble. Agreed to by Richard Oliver, though not present when sent.  $\frac{3}{4}$  *large p.*
674. iv. (a) Address to Governor Parke sent from the Head of the inhabitants under armes by Col. George Gamble, one of the Councill, and Nathaniell Crump, Speaker of the Assembly. St. Johns, Dec. 7, 1710. Since your Excellency hath rejected all application to you from the Honourable the Councill as well as from the Representative body of this Island and have drawne the Queen's troops against them when waiting on you with their address for takeing into consideration the state of this H.M. Collony and the publick grievances layd before you in that and other messages, and that you have also

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drawne the said troops and others together ready armed and prepared for further assaulting us under the pretence of selfe defence and preservation, And whereas wee have by such our Addresses humbly layd before you that wee had advice of five large ships of warr lately arrived at Martineco, and that more were dayly expected with Monsieur Phillipeaux their Governor from France, and that wee apprehended ourselves in great danger, wee do therefore humbly propose that your Excellency immediately discharge the said troops and withdraw yourselfe to any other Island of your Government, thereby to prevent such fatall consequences as may otherwise happen by their being longer continued in armes against us, and wee do solemnly protest that wee have no designe or intention of hurt to your Excellencyes person, but if any violence be offered so as blood be spilt by any of those your Excellency has drawne together, your Excellency must expect the just resentment of the incensed multitude.

674. iv. (b) Deposition of George Gamble and Nathaniel Crump. Dec. 9, 1710. On Dec. 7, waiting on H.E. with above Address, deponents were mett by Lt. Worthington just at the gate who demanded whether they came in peace or warr; they replied in peace, what else? Whereupon they were admitted and told H.E. they were come to wait on him by the advice of the Governour and Councill with an address from the body of inhabitants then in armes, which Address they presented, and H.E. having read it said that he had already acquainted them with his resolution, that he would not cowardly or basely quitt the Island, that he dispised their proposeall, that he had force enough with him to drive all the men in the Island before him. But that he would keep within his garrison and had prepared it for a month's siege, that he had so well disposed of his canon which were loaden with cross barr and 100 small shott each that it was not in their power to do him any hurt, and that he had 100 men in towne who had solemnly engaged to come to his assistance and stand by him upon any occasion, and that some men already had and others were afraid of decrees goeing against them in Chancery for their fraud and injustice to others which put them upon these measures, that as he expected no quarter from them, so he was resolved to give none, and that on their approach he had ordered the street next him to be burned. Whereupon deponents prayed him to consider the dismall consequences which must attend the rage of an incensed multitude, and that if any blood was spilt by any of those H.E. had in armes, that they were afraid the issue would be very fatall to H.E., and therefore humbly begged H.E. to discharge the troops reserving his usuall guard about him, tendering themselves as

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hostages that the inhabitants should do so likewise. He refused the proposall, saying that he would not accept of Col. Gamble, but for the Speaker he should be one, and would have five more with him particularly Capt. Piggott, Col. Watkins, Dr. Mackinen, and two others, upon which the deponents told him they had no commission to agree to a particular nomination, but that they should use the best of their endeavours therein. The Speaker told him that they understood H.E. had given out that he was to be murdered, which was very surprising to them, and that he might depend that no injury would attend his person if he would be pleased to discharge the troops, and assure them of his going off, which was the utmost of their designs and therefore very strenuously pressed H.E. to accept of their humble motion to him thereon, which he as passionately rejected and so the deponents withdrew, and reported the substance of the foregoing to the Lt. Governor and Council, the body of the inhabitants being present, which they did not approve of saying he had given them no assurance of his going off and so went to their armes. *Signed*, Geo. Gamble, Natha. Crump. *The whole 1 large p.*

674. v. Minutes of Council and Assembly of Antigua. Jan. 26, 1711. The Assembly refuse to hire an express to lay the above addresses before H.M. speedily.  $1\frac{1}{2}$  pp.

674. vi. Duplicate of preceding. [C.O. 152, 42. Nos. 44, 47-52.]

Feb. 23. **675.** Same to the Council of Trade and Plantations. Copy of No. 674. [C.O. 143, 11. pp. 302-309.]

Feb. 24. **676.** Col. Jones to [? Lord Dartmouth]. [Col. Parke's] difference with the people of the Island by many aggravations on both sides became so great that they rose up in arms and attackt him at his House, where he waited 'em with about 70 of my men. The Generall was kill'd with ealeven men, an Ensign, and severall wounded. I was at that time at Nevis, and most of the Regiment to Leeward, etc. *Signed*, Ja. Jones. 1 p. [C.O. 152, 42. No. 53.]

Feb. 24. **677.** Mr. Mathew to [?]. *Encloses* observations on the Address of the Lt. Governor and Council. *Begs* his correspondent to engage Lord Dartmouth to obtain H.M. punishment for Col. Parke's murderers, and the protection of her loyal subjects, "who are threatned with daily dangers for abhorring the fact." The Genll. Council and Assembly is now sitting, and we are all apprehensive as the late poor Gent. enemys are the most numerous in that body the smothering truth is the greatest part of the business, etc. The Capt. of the packett saying publickly he was told on ye Exchange he should not find Mr. Parke alive, so pray judge of their long premeditated villany. *Signed*, Wm. Mathew. *Endorsed*, Recd. May 7, 1711. 2 pp. *Enclosed*,

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677. i. Address of the Lt. Governor and Council of Antigua (No. 674 ii.) with marginal notes by Mr. Mathew, of which the following are the most important. A great many of the best familys and others always revered the Governor—The fear of invasion was made up for a pretext—They never would prepare for their defence as the General advised them—It was high time for him to send for the troops, when they drew up in a body the greatest part of the Assembly, as Crump the Speaker, Mackeny a surgeon, Edwd. Chester senr., Piggott, Painter, Murray, Cochran, Otto, Drillenvoux and others headed them, and read a Proclamation declaring all traytors *etc.* that should not joyne them. One Kerby, Deponent's Secretary, fired at H.E.'s house the first, and severall others, one soldier of Alexander's Company kill'd before any of the Genll's. party fired. Capt. Piggott went into the house with severall others, his pistoll in his hands, told the Generall he was no more such and bid him deliver his Commission, which he refusing they both fired, the Genll. was wounded in the fleshy parte of his thigh, they then broke in upon him, tore off his cloaths, draged him by the members about his house, bruised his head, and broke his back with the butt end of their pieces. One Nevin went to him when he was dyeing and spitt in his face in the agony of death, he asked for a little water, which a woman bringing to him one Watkins dashed it out of her hand. Severall of the soldiers had quarter given 'em, but afterwards murder'd in cold blood. One Murray vaunted publicly the next day he had killed three of them himselfe in cold blood. One Clem Lanier, a butcher, broke his back with a musquett. Chester has a box of his plate and papers which he refuses to deliver to his executors. One Turnor a farrier publicly shewed the Queen's picture he took from him and which allways hung at his brest being that he had for ye news of ye Batle of Hogsteth—his linnen *etc.* sold in town and carryed off.—How far they designe peace is evident by their shewing all his papers to breed ill blood in familys, there being severall letters from women in ye Island, yt. if concealed might not further differences in familys, and by still threatening and attempting ye lives of severall who have been shott at since and insulted to draw on quarrells, and others threatened they shall never goe off of ye Island alive, *etc.* 6 pp. [C.O. 152, 42. Nos. 54, 54 i.]

Feb. 24. **678.** Col. Nicholson to [? Mr. Secretary St. John. cf. March 3].  
 Portsmouth. H.M. having been pleased to honour me with her Royall commands, I assure you that (God willing) nothing shall be wanting on my part towards the accomplishing of so great and glorious a work, *etc.* Mr. Moor hath taken a great deal of pains in in-

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structing me, and I hope in God we have fully adjusted all affairs and he can give your Honour a just and full account of them, etc. *Signed*, Fr. Nicholson. 1 p. [C.O. 5, 1341. No. 14.]

Feb. 24.  
Barbadoes.

**679.** Mr. Lillington to Mr. Popple. *Refers to* letter of Feb. 16. As I wrote that the Councill and Assembly should sitt the day following, I take this opportunity to acquaint their Lordships with the success thereof, which is the passing the Excise Act, according to H.M. most gracious pleasure Sept. 26th. The passing of which Act that day, sav'd us the duty of a small vessell with wines, etc. *Signed*, G. Lillington. *Endorsed*, Reed. Read May 24, 1711. *Addressed. Postmark.* 1 p. [C.O. 28, 13. No. 59; and 29, 12. pp. 349-350.]

Feb. 26.  
Whitehal.

**680.** Council of Trade and Plantations to the Queen. *Recommend* Richard Rigby to be appointed to the Council of Jamaica in the room of Richard Thompson (*v.* Feb. 1, 13 etc.) [C.O. 138, 13. p. 323.]

Feb. 26.  
Portsmouth.

**681.** General Nicholson to [? Lord Dartmouth.] I hope yt. God Almighty will prosper ye Expedicon which her most sacred Majesty with so very great equity and wisdom determined to be undertaken, ye success of which will be for God's glory, and extirpation of ye Roman Catholick Religion, the encrease of ye Church of England, the good and wellfare of H.M. loyall and dutifull subjects in North America; and others who have ye honour and happiness of being H.M. leige people will reap ye benefitt thereby. The royall commands which H.M. hath been pleased to honour me with shall (by the Divine assistance) what in me lyes, be performed etc. I hope in God that Mr. Moor and I have fully settled all things relating to ye Expedicon, he took a great deal of pains in informing me, etc. Your Lordp. was pleased to tell me, that you would speake to Mr. Chancelor of ye Exchequer about what your Lordship writ to him by H.M. command, concerning me. I then told your Lordp. what had been done; that which I am most concerned for is yt. ye Bills of Exchange wch. I drew upon ye late Lord Treasurer, ye present Lords of the Treasury, and Mr. Howe (a particular list of which is left with Mr. Howe, with vouchers etc.) be paid, for if not I fear none in that country will advance money upon the like occasions, which may be of very ill consequence to ye intended Expedicon. I do assure your Lordp. that all care possible was taken both by ye Councill of Warr and myselfe not to put H.M. to more charge then was of absolute necessity for ye good of ye service, altho' there may not be all ye particular papers concerning the said accotts., being impossible to be got all together before I left ye country, the Councill of Warr appointed Mr. John Borland, Merchant in Boston, H.M. Agent for the Expedicon, and he paid the money. As for what particularly concerns myselfe, I don't in the least desire yt. ye money may be payd but when H.M. shall think proper, and then that it may be to my correspondt. Mr. Micajah Perry, by whose accotts. wth. me it doth appear, that ye

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two Expedicons in weh. I was concerned have cost me nigh £1500 ; but if it had or shall cost me more, I shall be very well satisfied if I can do H.M. any service, for I shall freely (God willing) venture my life and what little fortune I have in H.M. service, *etc.* *Signed*, Fr. Nicholson. P.S. *Recommends* that Mr. John Harrison appointed by the Council of War Chaplain to the garrison at Annapolis Royall, be put upon the establishment and paid 10s. per day, " for their Doctor of ye body hath so much and therefore I hope may deserve ye like " *etc.* F.N. 2½ pp. [C.O. 5, 9. No. 88.]

Feb. 26.  
Whitehall.

**682.** Lord Dartmouth to the Council of Trade and Plantations. Upon the petition of Lord Baltimore, H.M. is pleased to order that his Lordship or his Agents be permitted to take minutes out of such books and papers now before you, as relate to the Plantation of Maryland. *Signed*, Dartmouth. *Endorsed*, Recd. Read Feb. 27, 17<sup>10</sup>/<sub>11</sub>. 1 p. [C.O. 5, 717. No. 28 ; and 5, 727. p. 234.]

Feb. 27.  
Antigua.

**683.** Thomas Morris to the Council of Trade and Plantations. As I have the honour of being one of H.M. Councill of this Island, and have been so for some time, in which post I ever discharged the duty of a most faithfull subject, a true lover of my Country, and the incomparable Constitution of an English Government, so I most humbly beg leave to lay before your Lordships the tragical death of Col. Parke, weh. I take to be a very essential part of my duty to H.M.; for I cannot take so bold an action as this is to be any otherwise meant than to herself ; since the begining and continuance of his unhappy difference has been occasioned by H.E's. stedfast maintaining H.M. prerogative in all its branches, for which he was barbarously murdered, dying a true son of the Protestant Church as by law established. On Dec. 5 last the Assembly sending in a message relating to the choice of a Clerk, which message not being agreeable to the Generall's formerly to them (wherein he gave the Assembly to understand, that the choice of a Clerk was a branch of the Queen's Prerogative, which he would not part with) the General toare in a very great rage ; at which the whole Assembly came to the Councill Chamber with a great number of others, who joyn'd them ; the Generall seeing them order'd the Martial to forbid their coming in, which he did ; But the Speaker at the head of them forc'd their enterance, aleaging they had business of great moment to communicate to the General and Councill, the Speaker then presented the Generall with a paper, which he called an Address, but the Generall refused to take it, commanding them to withdraw, and repeated the same often, telling them they came in a ryotous manner, their mallice was so great, that they were deaf to all commands, telling him (one and all) he was no longer Generall, and that they would no longer obey him as such. In this storme, some of the Queen's troops to the number of seven or eight, came to one of the doors of the Councill Chamber, by whose order I cannot tell ; but do beleive the Generall had notice the day before of the intention of the Assembly, which was to take

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him and send him off ; and to prevent them, those soldiers might be order'd there, or they had certainly compleated their designes ; But at the coming of the soldiers, the Assembly thought fit to withdraw, many of them swearing they would take him and send him home in irons, and one M. Drolenvaux being joyned them in the Councill Chamber offer'd the Assembly to goe and take him. After this the Generall adjourned the Assembly to the 7th of the same month, in which time the Assembly raised all the country they could, to the number of 300 men or more ; whom they drew up in field called Otto's pasture joyning to the town, and in order march'd into towne, and formed themselves into a body in ye market place before ye Council Chamber, the 7th being the fatal day, the Lt. Governor and more of the Councill that had then met (I was not then come to town) used all the meanes they could to appease the rage of that disorder'd multitude, by sending to the Genl. who was at his dwelling-house, to desire he would pass the dispute of Clerk over, rather than put it to the fatal issue ; but the Assembly not onely stood on that, but demanded he would dismiss all the troops and quit the Island, aleaging they would not goe on business for fear of being insulted by the troops. I am told the General did so far condescend as to dismiss all the troops, but a small guard and serjeant, provided they would dismiss their numbers and give him hostage for his further safety, and that the Assembly should meet at Parham (a town distant 7 miles) and should make what Acts they pleased, then sending them to him for sanction ; but all this availed nothing ; they march'd in two bodys, the one commanded by Capt. Pigott, and the other by Capt. Paynter, both of ye Assembly, Capt. Pigott took a lill which commands the Generall's, called Church-hill ; Capt. Painter came up to the North-west of the house, and both parties attack'd him in his house and yard, where the General had drawn in 4 field peices, having notice of their barbarous design a day or two before ; at the approach and attack of Pigott's party, the Generall order'd a field-peice planted yt. way to be fired, which did no damage ; Capt. Pigott then, I am told, ran down with some of his men and enter'd the Generall's house, where the General and he exchanged a pistoll or two, by one of wch. Pigott was kill'd. Capt. Paynter coming up rushed in at the other door, and firing very sharply, the Genneral retired to his chamber receiving a shott in his left thigh and fell therewith ; The barbarous multitude, (for so I must call them) killing and wounding all they met giving little or no quarter to those in the house, and killed many of H.M. troops on their knees begging for quarter, and others who endeavoured to escape from their wroth. 'Tis said that the aforesaid Drolenvaux killed 3 soldiers in cold bloud, as also one Andrew Murray killed many of them very deliberately, they were not satisfyed with wounding and pillaging the Generall, but I am assured some of them drag'd him by his members, and the aforesaid Murray broake his back with the but end of his gun, which the Cherurgions say was the only occasion of his death ; for that he would have survived his wound. The bearer hereof, Mr. Michael Ayon is a Gentleman who was

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then in the house with H.E., being then Provost Marshal, and was barbarously wounded after the surrender of his armes ; for whose more particular account I referr your Lordships, for that I did not reach the town till the heat of action was over *etc.*, but the insults of the Assembly on the 5th day I saw, and heard the firing on that fatal 7th day, being then on ye road to town, where I no sooner came but met the Lt. Governor and Councill, the Lt. Governor commanding us to attend him, in order to settle matters as well as possible, and as we were going to the Council Chamber crossing the market-place (where the Barbarians were met) we were grosely abused by most of them, more particularly by Drolenvaux, Murray, one Jacob Morgan and Henry Smith, the latter crying Kill them all, the Lt. Governor and Councill desiring the Gentlemen of the Assembly to disperse ye crowde, which by their meances had gott together, least they should doe more mischief, which with much difficulty they did, and with as much difficulty we got leave to bury H.E. in the Church, for at that juncture the Assembly was the Head of Government, none of the Council daring to say a word, and indeed we are but little better still, many of us being daily threaten'd, so that if it should be known I had given [*your*] Lordships this account, I should not survive it a day, and therefore humbly beg you speedy protection. The Lt. Governor and Councill being obliged to doe something in this matter, have address'd H.M., giving her a brief account of H.E.'s death, but have not said anything of the particulars I here send. To that Address I have put my hand but more for my safety than anything else, tho' we have left everything to the proof of the Assembly, taking all things as they say or informe us, for had we dar'd we would have given H.M. a particular account of all that pass'd, but not being at our liberty, thought fit to leave that to a General Council and Assembly of the Islands, who are now sitting, and wish they may trace the whole matter so as to make an impartial return of the same to H.M., who I doubt not will make a just resentment, and send some speedy protection to those of her Councill, who are daily threaten'd to share the same fate with H.E., for being just and faithfull to the trust reposed in them. Many of them do not scruple to say they have began, and if H.M. hurts the hair of any of their heads, they will make an end, intimating the Councill and those of the General's friends that are left shall share his fate. I am informed by one Mr. Mathew Bermingham, merchant of this Island, and of unspotted reputation, that he heard some of that party say, if H.M. injured any of them, they wou'd put the sword into other hands, which I doubt not your Lordships will lay before H.M., it being my humble opinion it cannot be taken otherwise, than their resolution to surrender this Island up to the French, which I hope H.M. timely care may prevent. The morning they began this tragedy, whilst they were in the market-place, I am inform'd the Assembly put forth a Proclamation declaring all those who did not joyn them were rebels to their country, and should be banish'd with their familys, and all they had should be confiscated. This I have endeavour'd to get, and am assured 'twill be laid

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before H.M. (which God grant it may) and sure I am H.M. will make as just a resentment as so base a crime deserves, or there will be an end of all Government in these parts, and no man that can get bread any other way will venture his life here as Generall, and let whoever come here in that post, unless he brings a good force with him, must truckle to all the demands of an unreasonable Assembly, for they have got all the commanding officers of this Regiment to joyn them, which I hope H.M. will take notice of, and make the worthy Col. Jones know his duty better, as also some officers who disobeyed the Generall's commands that fatal day and left their post. No doubt but the Generall will endeavour to alleviate their base actions, by loading the Generall's memory with all the black crimes that is possible, but the onely thing they can charge him with, to give them any colour for what they have done, is his debauching many of their wives and daughters (which was indeed very dishonourable) but that can be no pretence when rightly considered, for it was not known till after his death, unless one or two, but in rifling his papers, some of them met with what I presume gave them more disturbance in their private families, than they had before in their pretended zeal for the publick. *Signed*, Thomas Morris. [C.O. 153, 11. pp. 312-320.]

Feb. 28.  
Whitehall.

**684.** Mr. Popple to William Blathwayt. The Council of Trade and Plantations desire the favour of speaking with you upon the petition of Lord Baltemore (*v.* Feb. 5), their Lordships not doubting but several things may have come to your knowledge, which may not be entred in the books of the Committee of Councill now in this Office, *etc.* [C.O. 5, 727. pp. 234, 235.]

Feb. 28.  
London.

**685.** R. Thompson to Mr. Popple. I have no thoughts of returning to Jamaica, *etc.* (*v.* Feb. 1). *Signed*, Richd. Thompson. *Endorsed*, Recd. 9th, Read 13th Feb., 17<sup>10</sup>/<sub>11</sub>. *Addressed*. 1 p. [C.O. 137, 9. No. 30.]

March 1.  
St. James's.

**686.** Order of Queen in Council. Approving Representation of Feb. 22, relating to the boundaries between Virginia and Carolina, and ordering accordingly. *Signed*, William Blathwayt. *Endorsed*, Recd. Read March 6, 17<sup>10</sup>/<sub>11</sub>. 1<sup>1</sup>/<sub>4</sub> pp. (*Set out*, A.P.C. II. pp. 588-593 *q.v.*) [C.O. 5, 1316. No. 56; and 5, 1363. pp. 262, 263.]

March 1.  
St. James's.

**687.** Order of Queen in Council. Confirming an Act of New Jersey *ascertaining the place of sitting of the Representatives, etc.* *Signed*, Edward Southwell. *Endorsed*, Recd. Read March 12, 17<sup>10</sup>/<sub>11</sub>. 1<sup>1</sup>/<sub>2</sub> pp. [C.O. 5, 970. No. 100; and 5, 995. pp. 140, 141.]

March 1.  
St. James's.

**688.** Order of Queen in Council. Approving Representation of Feb. 22, and confirming appointment of Charles Craven accordingly, the Council of Trade to take care that he gives good and  
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sufficient security *etc.* v. Feb. 22. *Signed*, William Blathwayt. *Endorsed*, Reed. 5th, Read 6th March, 17<sup>10</sup><sub>11</sub>. 1<sup>1</sup><sub>2</sub> pp. [*C.O.* 5, 1264. No. 112; and 5, 1292. pp. 267, 268.]

March 1. **689.** Order of Queen in Council. Upon Mr. Keen's Memorial  
St. James's. (v. Jan. 26, 31 and Feb. 2), the same is referred to the Board of Ordnance and the Board of Trade, who are to stop any pay due to the late Major Lloyd, and are to be carefull to prevent such abuses for the future, *etc.* *Set out*, A.P.C. II. pp. 634-7. *Signed*, Edward Southwell. *Endorsed*, Reed. Read March 5, 17<sup>10</sup><sub>11</sub>. 2<sup>1</sup><sub>4</sub> pp. [*C.O.* 194, 5. No. 4; and 195, 5. pp. 202-206.]

March 1. **690.** Council of Trade and Plantations to the Queen. *Quote*  
Whitehall. Mr. Cunynghame's letter Nov. — 1710 *q.v.*, relating to the Revenue Bill of St. Christopher's. *Continue* :—On Oct. 23rd that Bill was sent up to the Council, who return'd it to the Assembly with some amendments and wth. their reasons for such amendments. The first amendment was, by leaving out the preamble, whereby the Assembly assum'd to themselves the sole right of giving money contrary to ye ancient usage as well of the Assembly as (? of) St. Christophers, as of all the other Leeward Islands. To which the Assembly answer'd that they insisted on it as their sole right to give mony, from which right they declar'd they wou'd not depart. The said Bill enacts, that all sugars transported from St. Christophers to any other of your Majesty's Leeward Charibbee Islands shall pay for every hhd. 40s. current mony. The Council made an amendment by leaving out the 40s. per hhd. and instead thereof for every tun of sugar there shou'd be paid 6lb. weight of gun powder, for the use of the garrison there. The Assembly disagreed to this amendment alledging, that as they intended by that Bill to raise a Revenue for repairing the fortifications and support of ye Government, they were the only judges how such Revenue should be rais'd. The Bill further provides that ye Treasurer of the Island shall be accountable to the Commander in Chief, the Council, and to the Assembly, or either of them, for all publick mony's by him paid. The Council left out *or either of them*, as being inconsistent with your Majesty's Instructions, whereby the Governor is requir'd "not to permit any clause to be inserted in any law for levying mony or the value of mony by wch. clause such mony or value of mony shall not be made liable to be accounted for unto your Majesty in this Kingdom and to your Majesty's High Treasurer or Commissioners of the Treasury for the time being." Whereas those words, *or either of them*, being in the disjunctive, it wou'd be judged sufficient for ye Treasurer of that Island to account to ye Assembly only. To this amendment the Assembly did likewise disagree and gave ye following reason, That should ye Treasurer be supported to ye prejudice of the publick by either House ye other might have power to call him to account. This being the state of that matter, we humbly offer that your Majesty's Royal pleasure be signify'd to the Governor or Commander in Chief of the Leeward Islands for the time being to represent to the Assem-

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bly of St. Christopher's your Majesty's tender regard for the good and welfare of your subjects of that Island, in so much that your Majesty is greatly concern'd to find that such disputes have been occasion'd by the Assembly, whereby the passing a law for raising a supply so necessary for their security, during the present war, has been obstructed, and that therefore he be requir'd in the most effectual manner to recommend to them the passing an Act for granting a supply to your Majesty suitable to the present services of yt. your Majt's. Government, and yt. in such law no clause or matter be contain'd wch. shall be lyable to any of the like objections, yt. were made to ye foresaid Bill lately dropt there, or yt. shall be judged to derogate from the just and undoubted rights of your Majesty's Imperial Crown of this Realm. And whereas we find that on June 5, 1704, an Act was passed in that Island *for ye Treasurer's receiving and paying the publick stock*, wherein is contain'd a clause, "and such Treasurer shall not cause any payment to be made out of the publick stock without an order sign'd by the Governor or Lt. Governor, two of the Council, the Speaker and two of the Assembly," which power thereby given to the Assembly is contrary to your Majesty's express pleasure, signified in your Majesty's Instructions to the Governor, that "no publick mony whatsoever be issued or dispos'd of otherwise than by warrant under the Governor or Lt. Govr's. hand, by and with the advice and consent of the Council, with permission nevertheless to the Assembly from time to time to inspect the accounts of all sums of mony or of the value of mony granted and rais'd by any law of that Island, and to examine in what manner such sums of mony or value of mony have been apply'd ;" nor is the like power that the Speaker and two of the Assembly shall join with the Governor or Lieut. Governor and two of the Council in the signing warrants for the payment of mony, allow'd to the Assembly, in any of your Majesty's other Plantations. Wherefore we further humbly offer that your Majesty will be pleased to disapprove and make void the said Act. [C.O. 153, 11. pp. 109-114.]

March 1. **691.** Order of Queen in Council. Repealing an Act of St. St. James's. Christopher's, 1704, *for the Treasurer's receiving and paying the publick stock. v. preceding.* Signed, William Blathwayt. *Endorsed*, Recd. Read March 12, 17 $\frac{1}{11}$ <sup>0</sup>. 1 p. [C.O. 152, 9. No. 42; and 153, 11. pp. 121, 122.]

March 1. **692.** Order of Queen in Council. Approving of Representation of this date *q.v.* The Governor of the Leeward Islands to be informed accordingly. Signed, William Blathwayt. *Endorsed*, Recd. 10th, Read 12th March, 17 $\frac{1}{11}$ <sup>0</sup>. 1 $\frac{1}{4}$  pp. [C.O. 152, 9. No. 43; and 153, 11. p. 123.]

March 1. **693.** Order of Queen in Council. Approving Representation of Feb. 16 (*q.v.*), and directing the Council of Trade and Plantations to draw up heads of a bill to be laid before Parliament for enacting a standing revenue of what has been usually allowed

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within the Province of New York for the support of the Governor there, and the necessary expenses of the Government according to former Acts of Assembly, *etc.* *Signed*, William Blathwayt. *Endorsed*, Recd. Read March 6th, 17<sup>11</sup>. 3<sup>2</sup>/<sub>3</sub> pp. [*C.O.* 5, 1050. *No.* 15; and 5, 1122. pp. 296, 297.]

March 1. **694.** Order of Queen in Council. A warrant to be prepared  
St. James's. constituting Richard Rigby a member of Council of Jamaica  
(*v. Feb.* 26.) *Signed*, William Blathwayt. 1<sup>1</sup>/<sub>2</sub> pp. [*C.O.* 5, 11. *No.* 58.]

March 2. **695.** H.M. Warrants to Governor Dudley for appointing  
St. James's. Richard Waldron and Mark Hunkins to the Council of New  
Hampshire. *Countersigned*, Dartmouth. [*C.O.* 324, 32. pp. 60-62.]

March 3. **696.** Lord Dartmouth to the Council of Trade and Planta-  
Whitehall. tions. You are to lay before H.M. such accots. as you have  
received of what the inhabitants of Newfoundland have done for  
their defence since the taking of Fort St. John. *Signed*, Dart-  
mouth. *Endorsed*, Recd. Read March 5, 17<sup>11</sup>. 1 p. [*C.O.* 194, 5. *No.* 3; and 195, 5. p. 201.]

March 3. **697.** Arthur Moore to Mr. Secretary St. John. Enclosed is  
Southampton the demand on the Ordnance for both places, upon recollection  
Square. Col. N. did desire 1000 musquetts and accoutrements more (except  
swords) which can be no loss to ye publick, and by the additionall  
instruct. to ye other place, they are told if more then 1000 men  
can be raised armes and accoutrements. will be sent per ye squadron.  
Therefore I have sett downe 2500 musquetts and shall bespeak  
small accoutrements. accordingly, unless you are pleased to signifye  
ye contrary. *Signed*, Arth. Moore. *Addressed. Sealed.* 3/4 p.  
[*C.O.* 5, 1341. *No.* 15.]

March [3]. **698.** Demand upon the Ordnance *as in preceding.* *Copy.*  
*No date.* 1/2 p. [*C.O.* 42, 13. *No.* 14.]

March 4. **699.** Same [*? to Same*]. I am afraid after all ye care that  
has been taken the designe is publickly knowne, for I have mett  
with it every where both Friday and yesterday and in ye perticu-  
lars which I knew to be true. Just now came an expresse with  
the enclosed. I think he has behaved himselfe very right in the  
answere returned to Dumer: unless a turne can be given imedi-  
ately in this affaire it is almost impossible it should succeed, and  
I hope Mr. Chancellor will doe it to Dumer before he recieves his  
letters to-morrow, which I take to be one designe of ye express  
from Mr. Nicholson. P.S. I beg I may attend you abt. 9 or 10  
a clock this evening. *Signed*, Arth. Moore. 1 p. [*C.O.* 5, 1341. *No.* 16.]

[March 3, 4]. **700.** Memorandum of the establishment for the staff on the  
expedition to Canada, 1711. *Copy of later date.* 1/2 p. [*C.O.* 42, 13. *No.* 13.]

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March 3.  
Portsmouth.

**701.** General Nicholson to Lord Dartmouth. *Refers to* letter of Feb. 26. I am very much concerned yt. ye ships from ye Downs have not joyn'd us : for I fear that we shall be very much streightened in point of time in those partes, both for raising ye men and getting all things necessary for ye land and sea expedition, but I shall (God willing) do what in me lyes, by using all ways and means possible for ye accomplishing thereof. It is a very great trouble to me, to hear that ye Bills are not payd, *etc.* *Repeats* Feb. 26. My Lord Archibald Hamilton tells me that he hath not yet received H.M. Order about ye Marquis de Sucre (concerning whom I gave your Lordp. a memoriall from Sir William Hodges). I heartily wish that affair was thoroughly settled, because I beleive it would be for H.M. interest. I have this night received a letter of yesterday's date from Mr. Jeremiah Dummer, who writes me thus, vizt., (Last week I spake to Mr. Harley about the Quotas, and he told me that affair must be regulated in New England, but when I replied that they were determined by ye Royall Instructions he directed me to apply to my Lord Dartmouth because he had ye Plantations under his care. To-day I spake to him and he desired me to give him a memorial of it to be imparted to ye Cabbinet Councill on Sunday. To-morrow I shall do it.) I should be very glad to have your Lordship's commands about Mr. Dummer, for he hath sent me twice his letters for New England, and I have returned them. But if your Lordp. communicated to him ye affair, and gives me leave to carry his letters, I shall, *etc.* *Signed,* Fr. Nicholson. 2 pp. [C.O. 5, 9. No. 89.]

March 5.

**702.** Earl of Orkney to the Queen. I entirely agree with the Representation of the Council of Trade and Plantations, March 1st, touching grants of land in Virginia, *etc.* *Signed,* Orkney. *Endorsed,* Recd. Read March 7, 17<sup>10</sup><sub>11</sub>. *Copy.*  $\frac{3}{4}$  p. [C.O. 5, 1316. No. 57 ; and 5, 1363. pp. 263, 264.]

[March 5.]

**703.** A proposall offered by William Polhampton to the Council of Trade and Plantations. There are four companies allowed to the Province of New York, each of which ought to contain 100 private men, three of which companyes reside at Albany (the greatest security by land to all the Provinces from the enemy at Canada) and the fourth at the fort of New York. These companies by the connivance (or I may say contrivance) of the captains are reduced to less than half that number, for any man may have the liberty to work in what part of the Province he pleases, provided he gives his captain his pay, neither (for a little money) need he want a discharge from the Company, nor when men dye is there any endeavour to recruit, because the captains allways muster their companies full, and H.M. pays accordingly ; though they seldome contain half that number, so that, should any attempt be made on either of the said places, there would not be half that resistance as may be at home ex-

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pected ; by which means the captains are enrich'd, the country in danger, and H.M. defrauded of above £2000 per annum. There are at this present two persons actually in London, one of which several years past, and the other some years since were discharged from the said service, yet both are still continued on the muster-roll. The mismanagements in the Naval force there are yet more detrimental to the said Provinces, and much more so to H.M., not only because the pay exceeds that of the land service, but by how much the provisions are an addition to H.M. expence, by so much are the frauds us'd more detrimental to H.M. The great wages in all parts of America given to handicraft tradesmen and labourers on shore, and to those employ'd in the merchants service at sea, are a great inducement to sailors to desert H.M. service ; and as it is there usual in the winter season, while the ships are laid up, Commanders lending their men for 2, 3 or 4 months voyage, or giving them leave for such a space to work on shore, very much facilitates the escape of those, who before design'd to desert, and gives opportunity to others to be influenc'd to do that which perhaps they never thought on. And indeed whilst a ship lyes up, the coldness of the winters cause such severe frosts, that the access to shore is as easy as if the ship lay on dry ground ; so that let a captain be never so circumspect and use his utmost caution to prevent their desertion, he cannot possibly effect it, *etc.* By which means there have been 40, 50, 60 and more deserters out of a small ship's compliment in a winter, which retards our men of war from making early cruises in the spring, and is an obstacle to their making effectual ones during the whole time of their station ; so that the French privateers may with much greater security infest the coast, and prejudice the trade of the said provinces. But then should these run men be kept open on the ship's book for 3, 6, 9 or more months, there is still an allowance of provisions which is a considerable charge. And should some be discharged after all instead of made run, 'twould much aggravate ye fraud *etc.* To prevent which I humbly offer, that the men of war attending those stations be each winter ordered a cruise to the West Indies, Bahamas, or such other places as may be thought most convenient for the hindrance of desertion, promotion of trade, or annoyance of H.M. enemies ; to return back again to their stations in March, which is before any privateers can possibly arrive on the coast. That some fit person be sent over as cheif Muster Master, Clerk of the Checque, or with what other title may be thought proper, to reside at or about New York. That there be allowed three clerks under him, vizt. one at Boston, one at Hampton, and the other at Albany or New York. That the ships whilst in harbour be mustered at least once a week, and the land forces at least once a month, and returns of the musters made as often as shall be thought necessary, *etc. etc.*, and that I having been much in each of these places, and understanding the nature of the business, may be sent over to manage it *etc.* Signed, William Polhampton. Endorsed, Recd. 5th, Read 6th March, 17<sup>th</sup><sub>11</sub>. 3½ pp. [C.O. 5, 1050. No. 14 ; and 5, 1122. pp. 287-295.]

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 March 5. **704.** H.M. Warrant to Governor Handasyd for appointing  
 St. James's. Richard Rigby to the Council of Jamaica. *Countersigned*, Dart-  
 mouth. [*C.O.* 324, 32. *pp.* 62, 63.]

[March 5]. **705.** (*? Capt. Walton to the Council of Trade and Plantations. v. March 1st.*) A Brief description of H.M. Virgin Islands, which the Governors in Cheif of the Leeward Islands do give a commission for a Lt. Governor to be of although not one of them named in their commissions and are from East to West about 50 leagues with some reasons humbly offer'd shewing why they ought to be taken care of. *Spanish Towne* hath been settled upwards of 20 years by H.M. subjects and is about 7 leagues in length and about 2 or 3 in breadth, the cheif product thereof is cotton, reckoned the best in all America, some sugar and rumm. *Beef Island* inhabited by H.M. subjects, the product whereof is tobacco and cotton. *Tortola* formerly settled by the Dutch who had a good Fort on it, taken by us in the last warr with them, afterwards we setled it, whereon we had severall good sugar works, which were destroy'd by the French, it is now in possession of H.M. subjects, notwithstanding the Dutch in King William's time did all they cou'd to gett it restored. A very good Island. St. Thomas' as it is said by King Charles permission is now inhabited by the Danes were they drive a considerable trade with all nations in America, their being a noble harbour. *Crab Island* attempted to be settled by the English but drove of by the Spaniards, as fine an Island as any in America for its bigness. *Salt Island* uninhabited, so call'd from the vast quantities of salt it generally every year produces. *Santa Cruz* formerly settled by the French whereon they had a good town, and many sugar works, but fore'd to quitt it on account of the warr, now uninhabited, although there is vast quantities of hogs, horses, and cattle on it, an extraordinary good Island. For the rest of the Virgin Islands although their is many of them might be easily improved, yett they serve only as so many Parks for the inhabitants of the aforesaid Islands to keep their stocks on. Amongst these islands is very good fishing, and prodigious quantities of them and of all sorts that the West Indies afoards.

*Reasons humbly offer'd why they ought to be taken care of.* (1) To preserve the Crown's right in them, and hinder the pretentions of other Nations. (2) Because many of them are as good as any islands in America, and lying so contiguous may be made more advantagious then any Collony H.M. hath. (3) To preserve the trade of the said Islands, which is now lost. (4) It would prevent, if managed by a person that is acquainted, a very considerable clandestine trade carried on at St. Thomas. (5) It would be a great check to piracy. (6) It wou'd be an encouragement to seafaring men in time of peace to settle their by reason of the Fisshery. *Endorsed*, Reed. Read March 5, 17<sup>10</sup>/<sub>11</sub>. 3 *pp.* [*C.O.* 152, 9. No. 38 ; and 153, 11. *pp.* 114–117.]

March 6. **706.** Capt. Walton to [*? Mr. Popple*]. Having yesterday some concern upon me, when before the board, am conscios to

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myself that I was not so full in my answers, as I cou'd have been, therefore humbly beg you'l acquaint the Right Honble. the Lords Commissioners, that whenever they shall think fitt, I will be ready to give a more ample account. *Signed, J. Walton. Endorsed, Recd. Read March 6, 1711.* 1 p. [C.O. 152, 9. No. 39; and 153, 11. p. 118.]

March 6.  
Whitehal.

**707.** Council of Trade and Plantations to Lord Dartmouth. *Reply to March 3.* We have receiv'd no accounts of any matters relating to Newfoundland since our Representation of Dec. 18, wherein we inserted all that was then come to our knowledge, etc. *Autograph signatures.* 1 p. [C.O. 194, 23. No. 2; and 195, 5. p. 207.]

March 6.  
Whitehal.

**708.** Wm. Popple to Mr. Lowndes. Encloses following,  
708. i. Draught of a bond for Mr. Craven's observing the Acts of Trade in the Government of Carolina. (v. Feb. 22). [C.O. 5, 1292. pp. 268-272.]

March 6.  
Virginia.

**709.** Lt. Governor Spotswood to the Council of Trade and Plantations. I beg leave to add a few words upon the law passed the last session of Assembly *for raising a publick revenue.* Amongst the other reasons mentioned in H.M. letter of Feb. 14, 1707 for repealing that law made in 1705, H.M. is pleased to take notice that the Naval Officers are only allow'd half fees for vessells belonging to Virginia owners, and is pleased to call it an unreasonable clause; H.M. did in like manner declare that the making three years residence in the countrey a qualification for a Councelor to receive his proportion of the sallary allowed to that Board, was a discouragement to such of H.M. British subjects who might upon the account of trade or otherwise transport themselves to this Colony. Both which clauses are wholly left out of the Act now passed. But there are other Laws still in being, which defeat H.M. gracious intentions in both those particulars. As to that of the Naval Officers' fees, there was an Act passed in the same Assembly in 1705, and still in force, *for preventing frauds in the Customs* etc., wherein there is the same clause allowing only half fees for the vessels of Virginia owners. And as to the discouragements which H.M. intended to remove from the subjects of her other dominions in coming to dwell here, they are still as much as ever in being, as to what concerns all other persons and officers, while the Act declaring who shal not bear office in this country (made in the same Assembly 1705) doth subsist. These things I thought necessary to lay before your Lordps., and without offering my own opinion, submitt them to your Lops. better judgement. Your Lordps. will observe that the Law concerning land passed this Session mentions nothing of the manner of granting or termes of seating; so that I think that matter is now upon the best foot it has been of a long time, especially if your Lordps. shal be pleas'd to move H.M. to repeal the Act of Oct. 1666 (v. March 24); and I see no reason why H.M. should be bound up by new laws here, either in the method of granting of land, or in the

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conditions upon which it is to be obtained, it being certainly most just that H.M. Instructions should be the only law in those cases ; since 'tis apparent that those concessions of the Crown in relation to the granting of land, after being passed into laws, have been no longer considered as matters of favour, but as the right of the people. But if those Laws are once set aside, I dont think the people will be dissatisfied (at least they will have no reason) with such conditions as H.M. shal think proper so long as they are not inconsistent with their Charter. After I had staved off the application which the Assembly intended to make to H.M. for restoring to them the ancient termes of taking up land, I thought it necessary to issue a Proclamation (of which your Lordps. will receive a copy amongst other publick papers) to make known to the people the termes upon which H.M. thought fitt to grant them land for the future : and observing the greatest dissatisfactions to arise amongst those who had purchased rights, and by vertue thereof taken up and surveyed their land before any notification that H.M. intended to alter the conditions, and on that account conceived they had hard measure in being abridged of the priviledges wch. the Laws then gave them, by an Instruction *ex post facto* ; I have by that Proclamation left their pretensions to be determined by H.M. Upon which I beg leave to represent to your Lordps. that the case of those people hath in it a great deal of equity. For besides that the taking up their land was on the faith of the Laws then in force, it doth appear that most of them purchased their rights for money paid into H.M. Treasury here, and have been at great expence in making their surveys. Though there were many entrys for land made before the death of Coll. Nott, on which no patents have yet issued, yet the persons that took up the land have had so much time to make improvements. thereon, that many of them are now ready to take out patents upon the conditions mentioned in H.M. Instructions, so that I believe the number of those who are by this Proclamation remitted to H.M. favour, will not be very considerable, nor their demands great, and therefore I do with all submission take the liberty to recommend their case to your Lordps. with my opinion that the gratifying those few in allowing them patents for their land upon the old terms of seating and planting, will give great satisfaction to the whole countrey, and make them easy for the future under so great an alteration as these new conditions have introduced, and I am the more encouraged to hope your Lordps. will at this time especially think fitt to favour the Countrey, in consideration of the dutiful behaviour of this Assembly, and the easiness they have expressed under the hard circumstances of their Trade, and the pressures which that has brought upon the countrey, which I do assure your Lordps. are very great. Your Lordps. will find in that proclamation a clause prohibiting the granting of rights for above 400 acres of land untill I am satisfied of the ability and qualifications of the person desiring them, which limitation being persuant to the plan of the law for granting of land sent in by your Lordps., I hope is not improperly placed in this proclamation, and I shal take due care that your Lordps. intentions therein

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be punctually followed. I am likewise to acquaint your Lordps. that I have altered the forme of Patents, and made them agreeable to the Queen's Instructions as to the conditions of cultivating, and to the termes of the late Act of Assembly in relation to the forfeiture of the estate upon the non-performance of that condition, or the non-payment of the quitt-rents, and have made the stile of them in the Queen's name. Observing in a letter to the President and Council, your Lordps. were pleased to declare that the Assembly was not dissolved by the death or removal of a Governour, for that the same Royal authority by which it was called did still subsist, I send your Lordps. a copy of the writts issued for calling Assemblys, that if your Lordps. shal find any inconsistency in this forme, (wch. has been long in use) I may receive directions for altering it conformable to your Lordps.' opinion. Notwithstanding all the instances I have made to the Government of Carolina for obtaining a speedy determination of the boundarys, I have not been able to bring their Commissioners to any resolutions, and it plainly appears to me that their chief design is to delay it. I send your Lordps. the copys of the letters that have passed between Coll. Hyde, the Governor of that countrey and me, on this occasion : I must do him the justice to believe he is for his own part very well inclined to bring this affair to a speedy conclusion, but he is upon so precarious a footing there, and his authority so little that he is forced to submitt his own judgements to others whose interests are like to suffer by an equitable determination of this controversie. I send your Lordps. the accompt of the 2s. per hogshhead as it was passed last October, but the death of Coll. Digges, H.M. Auditor, hath prevented my sending by this conveyance the accompts of the Revenue of quitt rents, which remain imperfect. By the death of this gentleman, and that of Coll. Churchill, there are now two vaccancys in the Council : if your Lordps. think fitt to move H.M. to fill these vaccancys speedily, I beg leave in the first place to recommend Col. William Bassett, a gentleman who has served formerly in that station with general applause, and has an established good character in the countrey. The occasion of his quitting that station was (as he has confessed to me) to avoid being engaged in publick business, in case a Governor should come hither with whom he could not live in that ease and quiet he so much desires : but I have had the good fortune to cure him of that jealousie, and have prevailed on him to be again of the Council, which I have the more endeavoured, because of the little choice the Country affords of fitt persons to supply the vaccancys of that Board ; but as it cannot be expected that this Gentleman will serve now in a lower station than he did before, I hope your Lordps. will restore him to his former rank and precedence, wch. I am satisfyed will not be disagreeable to any at that Board. In the 11th page of the Council Journal your Lordps. will find I have with their unanimous advice augmented the sallary of the Clerk of the Council to £100 per annum, which is conformable to a Representation made to your Lordps. by the Governor and Council in 1701. The Council were so sensible of

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the increase of business in that office, and the present Clerk had gained so much their good opinion, that they waited only the arrival of a Governor to have given him this allowance some years agoe; and as I am fully perswaded that the making the salaries of officers equal to their trouble, and the rewarding of merit is the best way to promote H.M. service, I hope your Lordps. will not disapprove what is now given to this officer, who I do assure your Lordps. deserves encouragement. This is intended by the *Robinson* frigate a ship of good force bound for London, and is the first that has sailed hence since the Assembly. I shal about a fortnight hence have the opportunity of a much better conveyance (by the *Lyon* a ship of 36 guns) to send your Lordps. duplicates of the Laws and other publick papers, *etc.* Signed, A. Spotswood. *Endorsed*, Recd. 5th, Read 8th June, 1711.  $3\frac{3}{4}$  pp. *Enclosed*,

709. i. (a) Proclamation declaring H.M. pleasure, concerning ye granting of land. Signed, A. Spotswood. Williamsburgh, Dec. 8, 1710. (b) Proclamation for a General Fast on Jan. 30th, "the day sett apart by publick authority for commemorate the martyrdome of King Charles I, . . . not only for imploring the mercy of Almighty God with relation to that sacred and innocent blood shed as on that day by a cruel and treacherous faction of men in our mother-kingdome of England, but also with relation to our own sins and the greivous sickness which now rages amongst us," *etc.* Signed, A. Spotswood. Williamsburgh, Jan. 15, 1710 (11). *Endorsed*, Recd. June 5, 1711. *Copy. The whole 4 pp.*

709. ii. (a) Col. Hyde, Governor of North Carolina, to Lt. Governor Spotswood. I will lay your letter relating to the boundarys before the Council I hope to-morrow *etc.* I have forwarded a letter to Mr. Lawson, and am sorry to hear that anything has been acted as is not approved on by you, *etc.* I have great complaints how they in Virginia drive over the Meherron River great stocks of cattle, which drive stocks of this Colony along with them, and if the owners look after them, they are upbraided with destroying these they have nothing to do with. The Meherron Indians are very insolent and very abusive to our inhabitants, and kill cattle and hoggs of ours, supposing they can have protection from you. I hope you will not countenance anything of that sort, but that there may be a fair decorum kept, till the contraverted bounds be determined, and that you will not proceed in drawing this line till the Commrs. of this place join, which I shall endeavour to forward with all the earnestness I can. Jan. 21, 1711<sup>9</sup>.

(b) Lt. Governor Spotswood to Governor Hyde. *Reply to foregoing.* I'm sorry to hear that our Tributary Indians disturb or injure any of H.M. subjects, and shall take care to prevent as much as I can any ground of complaint as to the Maherines; but if those

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injurys are done to persons within the contraverted bounds, I think they have as little reason to complain as they have right to be there ; I'm sure none of them have had any liberty from this Government to take up land in those parts, and I hope the Government of Carolina have had the same regard to their own publick engagements not to suffer any encroachments to be made by the inhabitants of that Province, which we have had the more reason to expect from them out of respect to H.M. in whose behalf that land has all along been claimed. Feb. 3, 1710.

(c) Governor Hyde to Lt. Governor Spotswood. Jan. 29, 17<sup>10</sup><sub>11</sub>. I have considered your letter, and am willing to putt a stop to further entrys on the north side of Wicconse, till the meeting of the next Council on March 12th, by which time I expect to have the Lords Proprietors Instructions to their Commissioners laid before us, and till then can give no further answer to that, reserving withall to the present possessors and claimers (by virtue of entry and surveys) their rights which cannot with reason be slighted, because it hath always been taken with good reason to be within this Government, and shall give orders accordingly. I take it to be necessary also to acquaint you, that the Meherron Indians made an agreement with this Government, that they would not claim any land on the south side of Maherine River. Notwithstanding which they have interrupted the present possessors of the lands between Maherine River and Wicconse Creek, requiring them to leave their plantations without delay within three miles of their town, and have been very insolent therein, which they pretend an authority from your Government for so doing, and are encroaching upon the branches of Wicconse, which may with reason be hoped will be check'd by you. I shall press our Commissioners all in my power to forward the matter, so that they and yours may act in conjunction together, and I would perswade myself that you would not precipitate this affair till our Commissioners join yours, and I have ground to conjecture that Mr. Lawson has been or still is under some great disorder, or I should have received an answer to mine, *etc.*

(d) Lt. Governor Spotswood to Governor Hyde. I communicated your letter (*preceding*) to the Council, and can't forbear letting you know with how much satisfaction they received the assurance of your readiness to stop further entrys within the contraverted bounds, and to find in Carolina a gentleman whose word can be depended on, after the publick engagments of those formerly in the administration there have proved of no effect, and have been so little regarded that the Surveyor General, who was then one of the Council, and obliged himself under his hand to suffer no further encroachments on the lands

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in dispute, has been the principal occasion of those that have been committed since. It has been the chief care of those in the administration of affairs here after they understood the pretensions of the Lords Proprietors to hinder the seating of any of the inhabitants of this Colony on the land in controversy, to which purpose orders have been issued from time to time to restrain them, and to discourage them the more, it was thought necessary to give publick notice that none who did unwarrantably seat themselves upon th[at] land should be admitted to claim any right, if it should be determined to belong to H.M., and for that reason I cannot agree to what you intimate of reserving to the present possessors and claimers the rights they suppose themselves to have acquired by virtue of entrys or surveys, because no such entrys or surveys ought to have been made before the bounds had been ascertained, there being no reason why that land should be taken to belong to the Proprietors untill the disputes are determined, since the presumption of right till then is much stronger for the Queen, and there's as little reason that the inhabitants of Carolina should be on a better foot than those of Virginia. I shall be very glad to have this matter brought to an issue as soon as may be by the Commissioners appointed, but if you will consider how long it has been in agitation, you will not think there has been any precipitation used in negotiating that in the space of 10 months which might have been done in less than one : and if your Commissioners are left to their own inclinations, I'm apt to beleive according to what they have acted hitherto, they will find excuses to delay it as many years as they have already done months. For my part as I must plainly declare that to proceed with such dilatoriness is not paying a just deference to H.M. commands, so on the other hand it cannot be for the interest either of the Queen or the Proprietors, since whatsoever has the right must in the mean time lose the benefite of the quitt rents, and that loss together with the distractions among the people through the uncertainty of their titles, will be but slenderly compensated by the private gain of your Commrs. in the imediate surveys, tho' that seems to have been their cheif aim in all their affected delays they have used in this affair. You have yourself been witness how much I have pressed them to proceed, and how little effect I have had of their promise. I have now lately had letters from England pressing a speedy conclusion of this matter. Wherefore I am fully resolved that if I don't speedily hear that your Commrs. intend to proceed in good earnest, I shall order our Commrs. to go on without them, and to prepare the best state of the case they can in order to be laid before H.M. *Endorsed, Recd. June 5, 1711. Extracts. 4 pp.*

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709. iii. Form of a writ for electing burgesses in Virginia. July 6, 1710. *Signed*, A. Spotswood. *Endorsed as preceding*. 1 p.

709. iv. Account of H.M. Revenue of 2s. per hhd. in Virginia, Oct. 25, 1709–1710. *Total received*, £6068 9s. 11d.; *expended*, £4981 17s. 6d. Certified by A. Spotswood, Gov., William Byrd, Receiver General, Dudley Digges Dep. Audr. *Same endorsement*. 1½ pp. [*C.O.* 5, 1316. Nos. 61, 61 i–iv.; and (*without enclosures*) 5, 1363. pp. 275–284.]

March 6.  
Virginia.

**710.** Lt. Governor Spotswood to the Council of Trade and Plantations. Being now to convey to your Lordps.' hands the Journal of the Assembly, with the Laws past in the late session, I beg leave to accompany them with some few remarks. H.M. having been pleased to signify the particular clauses in the former Act for raising a publick Revenue, I have now obtained a new Law to be passed without any of those disagreeable clauses, and I hope it is conformable to H.M. pleasure, since both the sallary to the officers for collecting and the encouragement to the Masters of ships for paying the 2s. per hhd. and other dutys are again settled, upon the same foot as they were by the Act which first raised that Revenue; and that the payment of the tonnage is ascertained according to the rate of admeasurement proposed by the Commissioners of Customs, which is certainly the most easy for the trade and the only practicable way in this country, where the ships cannot be laid dry in order to their mensuration. And tho' there was formerly a law in this country ascertaining the sallary of the Council, yet I have not suffered any such establishment to be inserted in this Act, because it is certainly more agreeable to that dependance wch. they ought to have on the Crown that they should owe their support as well as their promotion intirely to H.M. bounty, and not to claim it by a law here. Upon what your Lordps. were pleased to observe March 26, 1707, I recommended that matter to this Assembly, and an Act is accordingly passed to explain the Act establishing the General Court, wherein, H.M. royal prerogative both in appointing Courts of Record and in receiving appeals from the judgments of the General Court here is fully recognised in the terms your Lordps. were pleased to direct. I was very glad when the complaints from several countys against one clause in the Act past last session concerning the granting *etc.* of lands gave me occasion to put this Assembly upon repealing the whole. The House of Burgesses, to whom these complaints were first made, prepared a Bill to repeal only that clause giving liberty to the owners of 6 negros to hunt on their neighbours lands: but when it came to be sent up to the Council, I caused it to be stoped there, and prevailed with the Burgesses to prepare a new Bill repealing intirely that former Act, and only re-enacting such parts of it, as regarded the people's own private titles and propertys without meddling at all with what concerned the rights of H.M. as to the granting of lands or disposing of escheats; beleiving that the former law was not dis-

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approved for any just advantages it derived to the subject, but for the unreasonable encroachments it made on H.M. Prerogative, of which I have experienced the ill-consequences during my own administration. Having thus far engaged the Assembly in parting with so many advantages, to which they thought themselves intitled by that first Law, I was resolved to add to this, some new ones in behalf of the Crown, for want of which I have observed great frauds committed to the prejudice of H.M. in her Revenue, and I had the good fortune to accomplish what I proposed with less difficulty than I expected from the contrary interests of some of the most considerable men in the country and of a great part of the Assembly. I shall briefly touch upon the heads of those clauses that are now in this Bill, and which I hope will very much improve H.M. Revenue of Quitt-rents. (1st) That whereas heretofore great tracts of land have been taken up and remained many years uncultivated, the owners in that time never taking any care to pay the quitt-rents, as knowing very well that the Sherif could find nothing on the land to destrain, this law enacts that the non-payment of quitt-rents for three years shall be a forfeiture of the land. (2) It being found that most of the old grants contain a greater number of acres within their bounds than are expressed in the patents, this Act provides that if the present possessor do not give an account to the Sherif of the just quantity of land he holds and obtain rights for the surplus, and pay the quitt-rents due from the publication of this Act, any other person after notice given may survey the land and take out a patent for the surplus. And lastly, that irregular way of application to the General Court for grants of the Queen's land (which may often happen without the knowledge or intervention of H.M. Governor, since by a law now in force that Court may consist only of five of the Council without the Governor) is altered, and as the first application for lapsed lands is now directed to be made to the Governor, so the last resort is likewise to him, and the General Court have no further to do therein, than only to inquire and declare whether the land petitioned for be again reverted to the Crown : which tho' it may seem an inconsiderable circumstance, yet with submission, I cannot but think it of very great consequence to H.M. service ; since the dependance which the people ought to have on H.M. Governor would (according to the former practice) in a short time have been wholly transferred upon the General Court ; besides the dangerous consequence of admitting that to be claimed in a Court of Judicature as a right which ought to be considered as a matter of favour flowing solely from the Crown. Pursuant to H.M. Instructions, I did at the begining of this Session recommend to the Assembly the finishing the House they had begun to build for the Governor. Upon which they have passed an Act appropriating £2195 for that use. For raising of which sum and discharging sundry publick debts contracted since the last Assembly, which amounts to almost £1800, they have by another Act layed a duty on liquors and slaves for three years. The duty on liquors is the same that was laid the last Assembly : but that on slaves they

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have thought fitt to advance to five pounds a head, for all imported by water, and 20s. on Indian slaves imported by land ; I soon perceived that the laying so high a duty on negros was intended to discourage the importation, and therefore thought it necessary to use the arguments in my message of Nov. 27 (*Journal of Assembly*), besides my endeavours with particular members for moderating that duty : but they urged what is really true, that the Country is already ruined by the great number of negros imported of late years ; that it will be impossible for them in many years to discharge the debts already contracted for the purchase of those negros if fresh supplies be still poured in upon them while their tobacco continues so little valuable, but that the people will run more and more in debt, and must be forced to employ their hands upon other manufactures. Whereupon finding them unanimously resolved rather to lose the Bill than to go contrary to the general inclinations of the country, I at last yielded to pass the Act as they had prepared it, after having been assured by the most considerable traders that this duty will be no discouragement to the negro trade, if tobacco becomes valuable, and on the other hand, tho' no duty were laid on negros, the country is not in a capacity to purchase any number while their tobacco is at so low a rate ; and that this duty will only affect some few merchants that perhaps may import negros before they are acquainted with the circumstances of the Country, but none that are thoroughly versed in this trade. Since therefore the duty is only for three years, and that it will at least require so much time before the Country can possibly be in a condition to pay off the debts already contracted, I hope the passing this law, which is so necessary for the ease and satisfaction of H.M. subjects here, will not be disagreeable to H.M. Your Lordps. will observe in the abovementioned message another exception I took against this Bill, which was, that the Virginia owners enjoyed a greater privilege and exemption than H.M. British subjects, and that it seemed contrary to H.M. intentions declared in the like case upon the Act *for raising* 2s. per hhd. ; But to this they had a ready answer, that the same exemption had been always inserted in the former imposition bills, without having been ever disapproved of by H.M. or her Royal Predecessors ; and this being a matter wherein I had no particular directions, I did not think it proper for me to reject upon that account a Bill which was principally intended for complying with H.M. commands for finishing the Governor's House. Yet if your Lordps. are of opinion that no such exemption ought to be allowed for the future, I beg you will instruct me therein. Amongst the bills that were prepared by the Committee for revising the laws of this Colony, there was one for establishing County Courts, which was sent to your Lordps., and returned by Coll. Nott in order to be passed into a law ; but the Assembly having inserted in it a clause, making the advice and consent of five of the Council necessary to the nomination of Justices of the Peace, he stood justified with your Lordps. for rejecting it. This Law coming now again under consideration, upon the exception made against it before, that unreasonable

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article was struck out by the Burgesses before it passed that House ; but when it came up to the Council, I found they had in effect comprized in this Bill two others that had no relation to one another, one directing the manner of granting probats of wills and administrations, and another for appointing publick rolling houses, the latter was so disagreeable to all the gentlemen of estates in the country that the Council thought fitt to strike it out, and I thought it proper for me to reject the former, being altogether of a different nature from the first part of the Bill and on that account disagreeable to H.M. Instructions, and to that caution which your Lordps. have thought fitt on several occasions to repeat to the Governors here, to avoid the inserting different matters in one law, besides the danger of admitting a practice of that kind to be introduced, which may prove an ill precedent, if the Burgesses should think fitt to use it on other occasions. Another reason of my disapproving of that part of the Bill wch. gives the power of probats and administrations entirely to the County Courts is because it is inconsistent with my Instructions, by which that power is amongst other ecclesiastical jurisdictions reserved to the Governor. However seeing such an inconsistency was not an objection made by your Lordps. when the project of that same bill lay formerly before you I did (for your Lordps.' sentiments, and not my own private interests shall sway me in all points) lett the Assembly know, that if they would prepare a bill for settling the method of granting probats and administrations, I'd pass it ; but they being desirous of seperating thought fitting to postpone it to another session : so that I am in hopes of receiving your Lordps.' pleasure on that bill, ere any farther proceedings be therein. And if your Lordps. shall please to approve of a moderate consideration for the signing yearly some hundreds of probats and administrations, I shall most cautiously endeavour to bring, by such honest means, the income of my Government to bear some reasonable proportion to that representation which was made me in Europe, before I had quitted my employments in the Army there. The uncertainty of the coin has of a long time been a matter of general complaint in this Country, and the remedying of it has often been attempted without success in former Assemblies, the great difficulty being to settle a currency without prejudicing H.M. Revenue ; but I hope the Act now passed is contrived so as to answer both. For as the currency is settled without enhancing the value so as to draw the money from other Colonys, which seems to be the principal aim of H.M. proclamation, there is likewise due provision made, not only that all H.M. Revenues, but all debts contracted in Great Britain shall be answered in sterling money. There is also a clause declaring the currency of copper money whenever H.M. shall think fitt to lett it be imported, which no doubt will be a great conveniency to the inhabitants, reserving still to H.M. to alter or settle the coin at any rate that shall be thought fitt. Finding great inconveniencies to H.M. service by the desertion of seamen from H.M. ships of war, I have obtained an Act to be passed this session giving suitable rewards for taking up such deserters, and inflicting penaltys upon those

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that shall harbour or conceal them on shore, which I hope will have a good effect both for H.M. service and the trade of the country. Since tobacco became so little valuable, it hath proved very difficult to gett persons to execute the office of Sherif, there being no law of the Country to oblige them to it, by which means Justice has been often obstructed. There is now a law passed for remedying this inconveniency by laying a fine on such as shall refuse to serve after they are commissioned by the Governor. Tho' the fine be not great, yet it will be sufficient to answer the end and prevent that delay of Justice as well as the prejudice to H.M. service which has often happened for the want of that officer. All I shall say further as to this Bill is, that it is a plant of a very quick growth, having been prepared and passed the House of Burgesses in one day ; which was occasioned by the throwing out a former bill prepared for the same purpose under another title, through the misapprehension of some of the members; but their judgments being better informed, they resolved to retrieve that fault by passing this bill in this extraordinary manner. The many abuses committed by masters of ships in cutting the tobacco hogsheads in order to make them stow the better, and the great losses which the freighters have sustained in their tobacco by that means, induced this Assembly upon the general clamour of the country to pass an Act laying the masters of ships under an obligation both of an oath and bond to prevent that practice. I have been informed by some of the most considerable freighters in the country that several of their hogsheads that have been cutt on board, have lost one third and some one half of their weight before they got home to England ; which they attribute to the opportunity the sailers have of taking the tobacco out of the hogsheads that are once cutt, and that where their tobacco is not taken out of the hogshead, the Masters of ships do often press it so much with hard scruves, in order to cutt of the void part of the hogshead, that it becomes unfitt for the markt ; which they take to be a very great injustice when they pay so high a freight as has been customary for some years past. This practice is said to grow daily more universall among the masters of the ships, and being confirmed to me by persons of whose truth I have no reason to doubt, was a very prevailing motive for my passing this Act, which I'm sensible will be exclaimed against by some of the merchants, but I think without much reason if they consider the justice of the case ; for since the planters here are bound by a law (which is confirmed by H.M.) under a severe penalty that their hogsheads shall not exceed a certain size, and are likewise very often obliged to freight at what rate the masters of ships are pleased to impose upon them ; it is but just that those masters should be under some obligation to carry home as much as they receive freight for, and not be suffered for the sake of stowing a few more hogsheads to destroy or damnify the freightors tobacco : besides since the size of tobacco hogsheads was settled, every master of a ship may tell almost to a hogshead how many his ship can carry, and proportion his freight accordingly, which renders that practice of cutting the hogsheads more inexcusable than

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perhaps it was before the making that law. The great difference which people observe between the weights of their tobacco here and in England, gives them violent suspicions that it must be taken away by the sailers ; and not being able to account how such people can answer the customs, gives them ground to beleive that the same persons who cheat the freighters, do likewise defraud the Queen in her customs by runing that tobacco on shore. Whether this be true or not, I can't pretend to determine ; but I doubt not your Lordps.' will be of opinion that this country has great reason to endeavour a redress of this abuse. I think it may be a very good plea for this law that it can injure no man who designs to act honestly, and I hope it will receive the more encouragement from your Lordps., because the country never was under greater distresses than now, when all the produce of their labour will scarce afford them cloaths to wear. Upon an indictment some time since exhibited in the General Court against a woman for concealing the death of her bastard child, it was moved for the prisoner that the Act of Parliament of the 21st of James I, upon which the indictment was grounded, being a penal statute made since the settlement of this Colony, and wherein the plantations are not named, did not extend hither. Upon which the Court having had the concurrent opinion of the ablest lawyers here, that that statute did not extend to the plantations acquitted the prisoner : but least that judgment should give encouragement to such wicked practices, there is now an Act passed *to prevent the destroying and murthering of bastard children* in the very termes of the Act of Parliament with some small variation adapting it to the circumstances of this Country. The Act *for security and defence of the country in times of danger* passed in the last Assembly being expired, is by an Act passed this session revived and continued for two years longer. Upon which I shall not take up your Lordps.' time, since the former Act has been long since under your Lordps.' consideration. The Act passed the last session of Assembly *for regulating ordinarys and restraint of tipling houses* having been found defective, an Act is passed this session *for the further restraint of tipling houses and other disorderly places*, whereby many abuses occasioned by those places will be removed. It would be needless to take up your Lordps.' time with any comment on the Act *appointing a Treasurer*, or on that *for raising a publick levy*, since they are such as pass of course every session of Assembly, when any dutys is laid or publick debts to be paid. The other two are private Acts on which I shall not give your Lordps. the trouble of enlarging. One is an Act *to sett free a negro* who discovered the late conspiracy of the negros here, and for paying the owner the value of him. And the other is an Act *to enable Mrs. Harrison*, the widow of Benjamin Harrison junr. decd., to sell some of his lands and slaves for the payment of his debts. The first will prove an encouragement for the discovery of future plotts, and the last being with so just an intention as the paying of debts and containing nothing in it injurious to the publick or any private person, I hope their Lordps. will have no occasion to except against the passing of either of them. Having

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in my speech at the opening of this Session, and in sundry messages afterwards, recommended several other matters to be passed into laws, I beg leave to refer to the Address of the Burgesses the last of November for the reasons why they did not proceed therein; but I hope their next session will make them much better acquainted with one another and with their business, and bring to perfection what they have now delayed. I send your Lordps. copys of the Addresses of the Council and Burgesses to H.M., which being only of compliment and not of business, I have enclosed to Col. Blackistone, who is to deliver them to my Lord Orkney (if he is in town) in order to be presented to H.M.; but if my Lord should be absent, I have directed him to wait on your Lordps., and receive your commands in what manner they shall be presented. It would be immodest for me to say anything as to the subject of those Addresses; but as I can with truth assure your Lordps. that the framing of both was without my knowledge, I hope your Lordps. will not find by any of the proceedings of this Assembly that I have purchased the compliments they have thought fitt to make me by any undue compliance with their humour to the prejudice of H.M. service, and this I think will plainly appear by some of my messages, particularly that I sent the Burgesses the 5th Dec. in answer to their Address concerning the patenting of land, wherein I have kept strictly to H.M. Instructions, notwithstanding all the importunities both of the Councill and Burgesses and the private applications of diverse others. *Signed*, A. Spotswood. *Endorsed*, Recd. 5th, Read 8th June, 1711. 10 pp. *Enclosed*,

710. i. Address of the Council of Virginia to the Queen. *Return thanks* for H.M. late favours to this Country "in allowing us the benefite of the Habeas Corpus Act, and in appointing Courts of Oyer and Terminer for the more speedy execution of justice and releif from long imprisonment, together with your Royal bounty in rebuilding our College, notwithstanding your Majties. other great and urgent occasions for carrying on an expensive but necessary war." *Return thanks* for sending guardships and the Lieut.-Governor, "a person who by his prudence, diligence, justice, generosity, and good temper, gives such a general satisfaction to all your Majesty's good subjects in this country, that we hope it will very much sweeten our other hard circumstances, occasioned by the great decay of the trade of tobacco," etc. No concurrence or assistance shall be wanting on our parts to promote H.M. service. *Signed*, E. Jenings, Dudley Digges, James Blair, Phill. Ludwell, Jno. Smith, Jno. Lewis, W. Byrd. *Copy*. 1 p.

710. ii. Address of the Burgesses of Virginia to the Queen. *To same effect as preceding*. *Signed*, Peter Beverley, Speaker, and 45 others. *Endorsed*, Recd. 5th June, 1711. *Copy*. 1 $\frac{3}{4}$  pp. [*C.O.* 5, 1316. *Nos.* 62, 62 i., ii.; and (without enclosures) 5, 1363. pp. 284-302.]

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March 6. Virginia. **711.** Lt. Gov. Spotswood to Lord Dartmouth. *Repeats parts of preceding.* I found the Assembly very ready to comply with everything that was proposed to 'em for H.M. service, *etc.* Encloses Addresses *vide preceding Nos. i., ii.* They were framed intirely without my knowledge, and I hope the proceedings of this Assembly, particularly some of my messages to the House of Burgesses, will be a sufficient justification that I have not purchased their compliments by any undue compliances to the prejudice of H.M. service. *Signed, A. Spotswood. 2 pp. [C.O. 5, 1337. No. 9.]*
- March 7. Whitehall. **712.** Mr. Popple to John Thurston. Major Lloyd's pay, *etc.* is stopped. *etc. (v. March 1st).* [C.O. 195, 5. p. 208.]
- March 7. Whitehall. **713.** *Similar letter* to the Rt. Hon. John How and the Commissioners of Victualling. [C.O. 195, 5. p. 208.]
- March 7. **714.** Mr. Popple to Mr. Attorney and Mr. Solicitor General. The Lord Baltimore having informed the Council of Trade and Plantations that he is ready to be heard before their Lordships *etc. (v. Feb. 5)*, they desire that you will let them know what day you will appoint *etc.* [C.O. 5, 727. p. 236.]
- March 8. St. James's. **715.** Order of Queen in Council. Appointing Edward Warner to one of the vacancies in the Council of Antego. *Signed, William Blathwayt. 1½ pp. [C.O. 5, 11. No. 59.]*
- March 9. Whitehall. **716.** Lord Dartmouth to the Council of Trade and Plantations. There being several letters from the Leeward Islands that give an account of great disorders there, in the confusion of which Col. Parke the Governor is said to have been killed, I desire you will communicate to me any advices you may have received relating to this matter. *Signed, Dartmouth. Endorsed, Recd. 9th, Read 12th March, 1711. 1 p. [C.O. 152, 9. No. 41; and 153, 11. pp. 120, 121.]*
- March 9. Whitehall. **717.** Mr. Popple to Mr. Attorney and Mr. Solicitor General. The Council of Trade and Plantations transmit for your consideration a draught of a bill for enacting a standing revenue for the support of the Government of New York (*v. March 1st*), and desire that you will return it to them, with such amendments as you shall judge proper, some time before next Tuesday morning, *etc.* [C.O. 5, 1122. pp. 297, 298.]
- March 10. Whitehall. **718.** Lord Dartmouth to the Council of Trade and Plantations. *Encloses following. Signed, Dartmouth. Endorsed, Recd. Read March 13, 1711. 1 p. Enclosed,*  
718. i. Mr. Blathwayt to Lord Dartmouth. (In reply to *Feb. 28 and No. iii. infra*). In 1631 George Lord Baltimore, who was then lately become a Roman Catholick did obtain from King Charles I of blessed memory a grant of Maryland, *etc.* This Province was afterwards gov-

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ern'd by the sons of the said George Lord Baltimore, and since by the present Charles Lord Baltimore himself and by such persons as his Lordp. did appoint as his Lieut. Governors, untill the late happy Revolution being made known in that countrey there hapned an Insurrection of the inhabitants there, headed by one Code, as appears by a Declaration then transmitted hither and now lying in the Plantation Office, which does more fully explain the grievances the inhabitants complain'd of, and more especially their aversion to a Popish Government under the Lord Proprietary. Upon considering this declaration and for quietting the People then in arms, His late Majesty having taken the advice of his Cabinet Councill did thereupon declare his pleasure in his Privy Councill, that it appearing noways fit to continue that Government in the hands and under the direction of Papists, H.M. did resolve to appoint a Governor of his own and by his immediate Commission, which he accordingly did and sent thither Col. Copley, wherewith the People were well satisfied and quietted, as appears by their Address (now lying in the same Office) to the King, who continued Governors of his own for that Province during his reign as Her Majesty has ever since done, sending last Coll. Seymour there, and now upon his death appointing Coll. Corbett to supply his place, whose Commission and Instructions are past or passing. To all which I may add that the present Lord Baltimore upon every vacancy of that Government did not fail to petition to be restored as he now does, without mentioning his nomination and appointment of a Lieut. Governor by his own Commission and Instructions to be approv'd of by H.M. as in other Proprieties. This being a short narrative of what has hapned in respect to the Government of this Countrey, it is thereupon humbly offer'd whether a Province of such extent in the center of the English Colonies in America, bordering likewise upon Virginia and importing the Queen in her Customs together more than all other Her Plantations may be fitly left to be govern'd by Papists (who own a forreign jurisdiction) or such as may be oblig'd to shew them particular favour, which cannot but at least be grievous to the Protestant inhabitants, who are the most numerous there, and have even under the Governors of the Crown frequently complain'd of the great partiality shewn to Papists and the countenance presum'd upon by the Popish Missionaries there, as many letters to be found in the Office of the Lords Commissrs. of Trade may more fully explain, and what ill use may be made at this time of H.M. condescension to what is now desir'd by the Lord Baltimore and as constantly refus'd by the late King, is humbly submitted. P.S. If Mr. Blathwayt remembers right, as from the books of the Plantation

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Office it may best appear, severall Attorneys Generall and other of H.M. learned Council have given it under their hands that in exigencies of State and where it may tend to the more safe Governmt. of any the Dominions of the Crown ; the Prince may in the fulness of the regall authority appoint such Governors of the same as shall be found most conducing to the publick good and welfare of that country.  $2\frac{3}{4}$  pp.

718. ii. Duplicate of Ld. Baltimore's petition, Feb. 5.

718. iii. Order by the Council of Trade that Mr. Blathwayt be acquainted that it is for H.M. service that they receive such information as he can give (i. *supra*) this week. March 5, 1711.  $\frac{1}{2}$  p. [C.O. 5, 717. Nos. 29-32 ; and 5, 727. pp. 237-244.]

March 12.  
Whitehall.

**719.** Council of Trade and Plantations to Lt. Governor Spotswood. Enclose H.M. Order in Council, March 1st, relating to the Boundary Commission. [C.O. 5, 1363. pp. 264, 265 ; and (rough draft) 5, 1335. pp. 106, 107.]

March 12.  
Whitehal.

**720.** Mr. Popple to Mr. Burchett. The Lords Commissrs. of Trade not knowing in what condition or circumstances our settlements at Newfoundland may be in, by reason of the late attempts by the French, they do not see what proper queries can be fram'd to be given to the Commodore for this year ; however they think it will be of service that the usual heads of enquiry and additional Instructions (tho' it is not expected the Commodore should answer them all) be given to him entire for such answers as he shal be able to make ; and therefore their Lordships have commanded me to send you the said enquiries to be laid before the Lords Commrs. of the Admiralty for their directions therein. *Annexed*,

720. i. Heads of Enquiries and Additional Instructions relating to the trade and fishery of Newfoundland, to be given to the C. in C. of the Newfoundland Convoy. *Same as in former years.* [C.O. 195, 5. pp. 209-222.]

March 12.  
Boston.

**721.** Col. Vetch to the Lords Commissioners of the Treasury. I make bold to give your Lordships the trouble of this line with relation to the bills I have drawn in favours of Mr. Borland, H.M. Agent here, for victualling the garrison of Annapolis Royall under my command. I have agreed upon  $7\frac{1}{2}d.$  per day each man, which was the lowest it possibly could be done for, the Agent Victualer att Boston being payed  $7d.$  for H.M. ships of warr. And considering the fraught and great deficulty of sending it above 100 leagues by sea in such a dangerous season of the year upon so hazardous a coast a halfpenny more was the least could be allowed, especially att this juncture when provisions are dearer then they have been these severall years past, *etc.* *Refers to details of accounts enclosed.* Signed, Sam. Vetch. Copy. 1 p. *Enclosed*,

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721. i. Account of provisions left at Annapolis Royal by the country transports and paid for by the Governor, Col. Vetch, by his bill to Mr. John Borland for £595 0s. 11d. *Signed*, Andrew Belcher, Commissary Office, Boston. March 27, 1711. *Copy*.  $\frac{3}{4}$  p. [C.O. 5, 9. Nos. 90, 91.]

March 14. **722.** Lord A. Hamilton to [? Lord Dartmouth.] Having  
Portsmouth. before taken ye liberty to mentione ye affaire of Monsr. Suere to yr. Lordship, I herewith send a Memoriall upon his subject, *etc.*, and pray yt. I may be honour'd with H.M. commands on yt. affaire before we sayle. *Signed*, A. Hamilton. *Endorsed*, Ordered Mar. 22. *Holograph*. 1 p. [C.O. 137, 51. No. 32.]

March 14. **723.** Commission for Charles Craven to be Governor of  
Craven House. South Carolina. *Signed*, Craven Palatin, Beaufort, Carteret, M. Ashley, J. Danson, M. Ashley for Joseph Blake. [C.O. 5, 290. pp. 15-17.]

March 14. **724.** General Nicholson to Lord Dartmouth. *Urges payment of bills referred to Feb. 26, March 3.* Your Lordship was pleased to tell me that Mr. Secretary St. Johns had undertaken ye management. of ye Expedition, and that I should apply to him, wch. I have accordingly done, and reced. letters from him, and now send an express to give him an accot. how things are with us at present. I suppose he shows your Lordp. what I write, so I will not presume to trouble your Lordp. with a repetition thereof. *Recommends officers for commissions and promotion, etc.* *Signed*, Fr. Nicholson.  $1\frac{1}{2}$  pp. [C.O. 5, 9. No. 96.]

March 15. **725.** Council of Trade and Plantations to the Queen. *Enclose*  
Whitehall. *following (v. March 1).* We endeavoured to have informed ourselves of the yearly charges of that Government and of the annual produce of the revenue granted by the Act pass'd there in 1692, but have not been able to obtain such an account thereof as is fit to be laid before your Majesty. However we presume Mr. Blathwayt, being Surveyor and Auditor General of your Majesty's Revenues in America, can lay before your Majesty an exact state of the yearly charges of that Government and of the annual produce of the said Revenue. *Autograph signatures*.  $1\frac{3}{4}$  pp. *Enclosed*,

725. i. Heads of an Act for granting a Revenue to H.M. to arise within the Province of New York in America, for the support of that Government. 2 pp.

725. ii. Draft of the above proposed Revenue Act. *Signed*, Approved by Edward Northey and Ro. Raymond. March 13, 17 $\frac{1}{2}$ . 10 pp.

725. iii. Duplicate of preceding. [C.O. 5, 1084. Nos. 45, 45 i.-iii. ; and 5, 1122. pp. 299-318.]

March 15. **726.** Order of Council. The Lords Comnrs. of Trade and  
St. James's. Plantations are to transmit papers relating to the petition of

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David Creagh and John Clark touching the sloop *St. James* of Barbados, *etc.* *Signed*, William Blathwayt. *Endorsed*, Recd. 19th, Read 20th March, 17<sup>10</sup><sub>11</sub>.  $\frac{3}{4}$  p. [*C.O.* 37. 9. No. 16; and 38. 7. p. 4.]

March 15.  
Whitehall.

**727.** Council of Trade and Plantations to Lord Dartmouth. Enclose copy of an account of the murder of Col. Parke. (*v.* Jan. 27, No. ii.) [*C.O.* 29. 12. pp. 328, 329.]

March 16.  
Portsmouth.

**728.** Lord A. Hamilton to the Council of Trade and Plantations. Being inform'd of the death of the late Attorney General at Jamaica, and that Major General Handasyd has empower'd Mr. Broderick in that Island to act in that office, and recommended him in order to his being confirm'd in it by H.M., I beg leave to join my recommendation in his favours, *etc.* *Signed*, A. Hamilton. *Endorsed*, Recd. 19th, Read 20th March, 17<sup>10</sup><sub>11</sub>. 1 p. [*C.O.* 137. 9. No. 34; and 138. 13. p. 324.]

March 16.  
Portsmouth.

**729.** Same to Lord Dartmouth. Recommends Mr. Broderick *as in preceding.* *Signed*, A. Hamilton. *Holograph.* 1 p. [*C.O.* 137. 51. No. 33.]

March 16.  
Whitehall.

**730.** Council of Trade and Plantations to Lieut. General Hamilton. *Instructions in relation to the Revenue Bill of St. Kitts in accordance with Representation and Order in Council, March 1st, q.r.* P.S. Since the writing of this we have been inform'd of ye murder of Col. Parke, and ye disorders yt. have happen'd in ye Island of Antego by a copy of a letter from Mounserrat to Col. Gledhill here, and are very much concern'd and surpris'd at it, especially in not having had any account of it from you; the sending whereof you ought not to have neglected, tho' you had hir'd a vessel on purpose. [*C.O.* 153. 11. pp. 124 129.]

March 16.

**731.** Capt. Walton to the Council of Trade and Plantations. A further Memorial relating to the Virgin Islands, *etc.* *cf.* Jan 15. These Islands through want of a due Representation to your Lordships have been neglected, for scarce any accounts hath been tendered here of them, but what petitioner gave and left in draught. The undue and irregular administration (of those sent to preceed there) hath only serv'd to encourage clandestine trade, and consequently oppress the fair traders through the whole Plantations. This petitioner conceives to arise from its not being customary to swear the Governors to the Acts of trade and from their not having a confirmation of their commissions from hence, or any regular instructions to tie them downe, which must have hindred them from being of their proper use to England. Hence the right of the Crown to them would be better preserv'd and strengthened, and the pretensions of the French, Dutch, and Danes, which they have and do lay to them be secluded. The soil of these Islands is as good, and will bear anything that our southern Colonies will, but much better cotton. From Spanish Town one person hath shipt off in one year 40,000 weight *etc.* *v.* March 5th.

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The Government being put into the hands of a prudent man, acting with good faith, and acquainted, having an independant company of marines, a small frigggott and a sloop or two, might not only destroy the injurious trade carried on at St. Thomas', but prevent the pirates from sheltring amongst them, and bring many of them, which wou'd turn so, upon the Peace, to come and settle here, and become usefull and advantagious subjects to our Crowne.

*Answers to questions put to petitioner by the Board :* (1) What advantage it would be to the Crown to have them made a separate Government ? He humbly conceives in a few years as much as hath done from the Leeward Islands being seperated from that of Barbados, which is not above 45 years, and it is pretty obvious how they have improv'd since, for at the time of their separation St. Christophers only excepted, they were not in a more promising condition then the Virgins are now, besides the Virgins are as far to Leeward of Antigoa, as Antigoa is of Barbados. (2) Whether the said Islands are able to support the dignity of a Government without the assistance of the Leeward Islands ? If the Governor shou'd have the same encouragement from hence (or no more then is aforementioned) as the Governors of the Leeward Islands had upon the separation from Barbados, they wou'd need no more ye assistance of the Leeward Islands, then they do that of Barbados. (3) That the Virgins are under the Government of the Leeward Islands. So was they under that of Barbados, but if the Virgins had been known here, and understood to be under that Government, why were they not as well worth mentioning in that Commission as Anguila, which is not so good as any one I have nam'd, Salt Island excepted ?

Upon the whole matter, it's humbly submitted to your Lordships' great judgments, wether these Islands appear so valuable in themselves as to merritt H.M. care and directions touching their Government ; it not, I having serv'd their without any sallary or reward, most humbly beg your Lordships' favourable report, that I together with other adventurers may have a commission for the improvement of the said Islands, upon such terms and regulations as your Lordships shall think fitt. *Endorsed*, Reed. 14th, Read 16th March, 17<sup>10</sup><sub>11</sub>. 2<sup>3</sup><sub>4</sub> pp. [*C.O.* 152, 9. *No.* 44 ; and 153, 11. pp. 130-133.]

March 16. **732.** Council of Trade and Plantations to Governor Hunter. Whitehal. Encluse Order in Council, March 1st, confirming Act *for ascertaining the place of sitting, etc.* [*C.O.* 5, 995. p. 142.]

March 16. **733.** Copy of victualling accounts of the garrison at Port Royal, and of bills drawn by the Governor. *Signed*, Sam Vetch. 3 pp. [*C.O.* 5, 9. *Nos.* 80, 81.]

March 17. **734.** Order of the House of Lords, that the Council of Trade and Plantations, do on Tuesday next lay before this House an account in writing of what hath been done pursuant to the late Acts of Parliament for encouraging the bringing into this Kingdom Naval Stores. *Signed*, Math. Johnson, Cler. Parliamentor. *En-*

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*dorsed*, Recd. Read 19th March, 17<sup>10</sup>/<sub>11</sub>.  $\frac{1}{2}$  p. [*C.O.* 323, 7. No. 10 ; and 324, 9. p. 454.]

March 19.  
Whitehall.

**735.** Lord Dartmouth to the Council of Trade and Plantations. The Lords of the Committee desire to speak with you this evening (at the Duke of Queensberry's Office) at six a clock about the disorders that have lately happen'd in the Leeward Islands. *Signed*, Dartmouth. *Endorsed*, Recd. Read March 19, 17<sup>10</sup>/<sub>11</sub>. *Addressed*. 1 p. [*C.O.* 152, 9. No. 46 ; and 153, 11. p. 136.]

March 19.  
Whitehall.

**736.** Council of Trade and Plantations to Lord Dartmouth. Upon Mr. Lillington's letter (Jan. 27), desire a duplicate of order in Council Sept. 26th and H.M. pleasure in relation to the right of nominating a Treasurer at Barbados, to be sent to him. [*C.O.* 29, 12. p. 336.]

March 20.  
Whitehal.

**737.** W. Popple to Josiah Burchet. The Council of Trade and Plantations having by H.M. commands some matters under consideration relating to the West Indies, they have commanded me to desire you will let me know to-morrow if possible what number of ships of war are now going with the trade to Barbadoes, the Leeward Islands, and Jamaica, and what rates the said ships are of, who is the Commodore of the said ships, what number of marines are on board each ship, where the trade which they are to convoy is at present, and when they are to proceed. [*C.O.* 138, 13. p. 325.]

March 20.  
Spanish Towne.

**738.** Governor Handasyd to the Council of Trade and Plantations. *Acknowledges* letter of Sept. 19. As to the escheat of Mr. Sutton, that affair is over, by reason of his being acquitted. The Galloon is still at Carthageen and very rich ; and I am of oppinion that they designe to send the effects on board other shippes to the Havana, and so to transport them by the Laverde Cruse Squadron. What time they designe to go, I cannot learne. Commador Littleton has sent two men of war to cruse off the Havana. I am of oppinion they will meet with some interprize of moment, or else they will be well beeten. He has likewise order'd the rest of the shippes to cruse to windward of Carthageen, so that it's imposible if any of the enemy's ships be stirring that they should escape them. I shall send your Lordships the publick accots. with the three men of war that are to sayle with the Trade that is ready against the 4th or 5th of next month. My Lord Hambleton not coming to relieve me so soon as I expected, I have been obliged to issue out, by and with the advice of the Councill, writts for the calling a new Assembly ; which is to meet the 17th of next month, the Quartering Act expiring the last of Aperil. The Attorney General Mr. Percival being dead, I have been obliged to appoint William Brodrick Esq. to succeed him, untill H.M. pleasure be farther knowen, as the most fitt man in this Island. I have given notice of the same to the Rt. Hon. the Earl of Rochester, Lord President of H.M. most Honble.

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Privy Council, who owes him as his relation, and likewise to the Earl of Dartmouth, H.M. principal Secr. of State. As to newes here, there is very little, Trade being very dead and like to be worse, except some method cou'd be taken for preventing the French trading to the South Seas, and the River Plato, from whence they supply the Spaniards with negros, stores and other necessaries. Capt. Spann the 20th Jan. last run two French merchantmen on shore, the one of 30 gunns, and the other of 14 gunns. 'Tis suposed they were laden with wine, brandy, and dry goods, but do not hear anything of value was saved. I hope in a little time to be releived myself, by my Lord Hambleton, but am sorry that H.M. has not thought fitt to releive my Regiment with me, after being here 10 years. At my arrival, I shall not faile to waite on your Lordships, not only to returne you thanks for your favours already received, but also desire the continuance of your Lordships' friendship. Some of H.M. men of war has lost a great many men, as also the Regiment under my command, but thanks be to God they are now pretty healthy, as is also the Island, *etc.* Signed, Tho. Handasyd. *Endorsed*, Recd. 7th, Read 10th May, 1711. 2 pp. [*C.O.* 137, 9. No. 36; and 138, 13. pp. 329-331.]

March 20.  
Spanish Towne  
in Jamaica.

**739.** Governor Handasyd to Lord Dartmouth. *Acknowledges* letters of Sept. 20 and Dec. 12. *Repeats preceding.* Signed, Tho. Handasyd. 2 pp. [*C.O.* 137, 51. No. 35.]

[March 20.]

**740.** John Walton to the Council of Trade and Plantations. According to the signification received (the 17th from Mr. Popple), he conceives himself capable by his friends (if H.M. shall think fitt to make them the Proprietors) to improve the Virgin Islands, that after a term of years, they may revert to the Crown and be as advantageous to it, as the Leeward Islands are now. His hopes to compass this, or H.M. Commission for the Government of them, occasioned him to expend a great deale of mony and time in those parts to become a judge of their value and forme the draught, before your Lordships, that this grant of the property for a terme of years, will by your Honours recommendation best recompence him *etc.* *Endorsed*, Recd. 20th, Read 21st March, 1711.  $\frac{3}{4}$  p. [*C.O.* 152, 9. No. 48; and 153, 11. p. 137.]

March 20.  
Boston.

**741.** Col. Vetch to Lord Dartmouth. This comes to introduce the bearer, Major Livingston, to kiss your Lordship's hands, who after not only the greatest fatigue but danger ever mortal perhaps undertook and escaped, (*v.* Feb. 23) comes to give H.M. and your Lordships of the Ministry an account in person of his negotiation upon which he went by order of the Counsell of warr, and as he is perhaps the only Brittish subject of any figure or character capable of such extraordinary undertakings, so I doubt not your Lordship and the Ministry will doe him that justice with H.M., that he may meet with a suitable reward for his post services and a settled encouragement to continue intirely devoted to H.M. immediate service. I have given your Lordship the

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trouble of severalls by this conveyance relating to H.M. garison of Annapolis Royall, to which I sayle in company with the vessells that carrys Major Livingston to Great Brittain. I shall long much to receive H.M. particular commands *etc.* Signed, Sam. Vetch. 1 p. *Enclosed*,

741. i. (a) Memorial from Col. Vetch, Governor of Fort Annapolis Royal, to the Governor, Council and Representatives of the Massachusetts Bay. Enquires as to the payment of the New England soldiers left in garrison at Annapolis Royal. (b) Resolution of the Council and Assembly of the Massachusetts Bay, March 17, 1711. The souldiers of this Province who after the reduction of Port Royall and determination of that Expedition, voluntarily inlisted themselves, wee consider no otherwise then volunteers in H.M. service, agreeable to H.E. proclamation July 19 last, and that this Province is no further charged with their subsistance or pay. *Copy*. 1 p.

741. ii. Bills drawn by Col. Vetch, for soldiers pay at Annapolis Royal, Boston, March 26, 1711. Signed, Sam Vetch. 2 pp. [*C.O.* 5, 9. Nos. 92-94.]

March 20.  
Boston.

**742.** Col. Vetch to Lord Dartmouth. I was under ane absolute necessity to come to this place about 5 weeks ago after I hade secured the garrison as well as the season of the year would possibly allow of, and though the voyage att that season of the year was what had hardly bein practised before by reason of the severity of the weather, yett I was necessitate to undertake both in order to regulate the account of the victualling and pay of the garrison. As to the first, I have drawn bills upon the Lords of H.M. Treasury (*v. preceding*) in favours of the Agent for the same. As to the payment of the country troops who were left in garrison with me, *refers to encl. i. preceding*. As to the payment of them, I know there is no peradventure to be made but that H.M. will if thiss country does not. But the Queen's pay being so farr short of what they hade in the respective Governments from whence they came will I fear make them verry uneasy ; though I shall take all possible methods to keep them in good order as they are att present, but am most humbly of oppinion that H.M. for att least a twelvemonth more then what the Counsell of warr ord'ed will be pleased to allow them victualling besides their pay untill the cultivation of the country render provisions reasonably plentifull and cheap there, for att present all their pay will not go near to purchase them provisions, especially in a country where the coldness and sharpness of the air contributes so much to their good appetites ; they are now victualled to the end of eight months ordred by the Counsell of warr, but as it is altogether unsafe and unreasonable to trust the garrison without att least three months provisions befor hand whatever might befall us, I have ordred Mr. Borland, H.M. Agent here, to send us upon the Queen's account three months provision more, which will bring us to Sept. 10th, by which time I hope to be honoured with H.M.

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commands, *etc.* Though I have the honour of H.M. Commission as Generall of her troops here, as well as Governour of Nova Scotia, and am necessitate to keep a rank accordingly, yett I have never had any salary or pay assigned for either of them, and therefore most humbly intreat your Lordship's and Ministry's favour and justice with H.M. for appointing me the same, and the more because my circumstances in the world will not otherways allow me to maintain the honour and station H.M. hath putt me into, *etc.* *Signed, Sam. Vetch.* 1 $\frac{1}{3}$  pp. [C.O. 5, 9. No. 95.]

March 20.  
Whitehall.

**743.** Lord Dartmouth to Lt. General Hamilton. The Queen having received advice of the disorders that have happened in the Leeward Islands, and of your taking upon you the administration of the Government til some other person should be appointed, H.M. has commanded me to signify Her Pleasure to you, that you use your utmost endeavours to preserve the peace of those Islands, and that you may expect full Instructions for that purpose by the next Leeward convoy. *Signed, Dartmouth.* [C.O. 324, 32. p. 63.]

March 20.  
Virginia.

**744.** Lt. Governor Spotswood to the Council of Trade and Plantations. Having writt so lately and largely by the *Robinson* frigate, I have little to add to your Lordps.' trouble by this conveyance except one proposal, which if it shall be found a mistaken notion in the affairs of trade, I hope your Lordps. will pardon it as proceeding from the sincere intentions of one so much a zealot for what I apprehend to be for the service of H.M. and the true interest of my mother country. The unhappy circumstances of the trade of this Colony oblige me to lay before your Lordps. the ill consequences which I am apprehensive it may have on that of Great Britain without the application of some proper and speedy remedy. The great number of negros imported here (so long as there remained any money or credit in the country to buy them) and solely employed in making tobacco, hath produced for some years past an increase of that commodity, far disproportioned to the consumption that could be made of it in all the marketts which the war had left open, and by a natural consequence lowered the price to a great degree. This was first felt in those parts of the country where tobacco is reputed mean, and the people being disappointed of the necessary supplys of cloathing for their famillys in return of their tobacco found themselves under a necessity of attempting to cloath themselves with their own manufactures, and the marktett for tobacco still declining and few stores of goods brought in, other parts of the country through the like necessity have been forced to run into the same humour of planting cotton, and sowing flax, and by mixing the first with their wool to supply the want of course cloathing and linnen not only for their negros, but for the poorer sort of housekeepers. This is now become so universal that even in one of the best countys for tobacco, I'm credibly informed there has been made this last year above 40,000 yards of diverse sorts of wollen cotton, and linnen cloath, and other small countys where tobacco is less

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valuable have no doubt advanced their manufactures proportionably. Tho' this be at present the general humour of the country, it is introduced more by necessity than inclination : and the people are so little skilled in this kind of manufacture that they will with difficulty attain any tolerable perfection in it, and own that what they make now costs them dearer than that they usually had from England, when their tobacco bore but a moderate price ; yet since time and practice make most things, (tho' difficult at first) to become easy and habitual, it is certainly necessary to divert their applications to some other commodity that may be beneficial, at least less prejudicial, to the trade of Great Britain, and wherein the Planters too may find their account. The production of Naval Stores seems to be that wch. this country is most capable of, and most likely to engage the inclinations of the people here, and might be carried on with the greatest advantage to the trade of Great Britain. The lands in this country wch. are improper for tobacco and bring only such as serves to spoil the market is the most fitt for producing pitch, tarr and hemp, of the two first there are good quantitys made, and carryed to the West Indies and some to Britain, besides the home consumption. And of the latter enough to shew how much more might be produced if there was sufficient encouragement given for it. The advantages which this country might have expected from the Act of Parliament concerning the importation of Naval Stores has been totally lost through the want of men of substance and skill in trade to make use of them, those merchants we have here extending their thoughts little farther than what concerns tobacco, which they understand, but having no enterprizing genus for new adventures. And I have been told that the difficultys in obtaining the premiums have even discouraged the merchants in England from venturing their money in those commoditys. I would therefore humbly propose that H.M. may be moved to direct the Commissioners of the Customs to accept of Naval Stores imported from the Plantations at the current market price in payment of the duties on tobacco, and that upon a certificate of the delivery of those Naval Stores to some officer appointed by the Commissioners of the Navy, the importer shall be intitled to ye several abatements allowed for prompt payment. This would engage abundance of people here who cannot propose any advantage by tobacco to go upon Naval Stores, and would encourage the freighters and considerable planters to buy up those stores, and send them to Britain to clear the duties of their tobacco. And as tobacco would then only be planted in land proper for producing the best, it would no doubt make returns in cloathing as well as other goods at a cheaper rate than they can be made in the country, and by that means soon putt a stop to all manufactures here that may interfere with those of our mother country. There are but two objections I can foresee against this scheme. One is that it would lessen the quantity of tobacco and consequently H.M. Revenue of Customs ; the other that the encouraging Naval Stores so much would glutt the market and oblige the Queen to take more than are necessary for the use of the Navy. As to the

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first, the people must of necessity lessen the quantity and employ their hands to other uses when they lose by their labour in this ; but whenever tobacco comes again to be valuable they will naturally fall into that trade which seems to be rooted in their affections and no doubt they will always make enough to supply all the vent that can be had for it. And as to the other, if H.M. only takes Naval Stores at the current market price, there can be no loss, for if it be not wanted in the Navy, there will be buyers enough for much more than this country can import in a long time. There is one advantage which this country has in relation to Naval Stores, which none of H.M. other Plantations enjoy, which is that the trade for tobacco will always deserve a good convoy in time of war, whereby the Naval Stores carried hence in those fleets will be much safer from the enemy than those in single ships from the other Plantations, which serve only to arm our enemys at our own cost. The production of Naval Stores will also remove the temptation the masters of ships have for cutting and defacing the tobacco hogsheads since bales of hemp or barrells of pitch will be easily stowed in the vaccant places of the ship where a hogshead cannot be putt without great injury, and that unjust practice quite extinguished (against which the general clamour made it necessary to pass a law the last Assembly) and with more advantage to the owners in their freights. About 12 ways agoe some of the Fleet that left England in December, having been much separated and dispersed in their passage, the greatest part of them are since come in, together with the *Tyger*, one of the convoys, but disabled in the voyage by springing a mast. The *Reserve* (which was Commodore) being in want of water, and several of the men sick, was forced to bear away to Barbados. I have received diverse letters sent in this last ship, wch. the Commodore put on board one of the merchant ships at his parting with the Fleet, but finding none from your Lordps., I concluded you had no particular commands to charge me with, and have thereupon prorogued the Assembly to Nov. 7th, there being nothing of moment here to require their meeting sooner. *Signed*, A. Spotswood. *Endorsed*, Recd. 5th, Read 29th June, 1711. 4 pp. [*C.O.* 5, 1316. *No.* 65 ; and 5, 1363. pp. 317-325.]

March 21. **745.** Council of Trade and Plantations to the House of Lords. In reply to 17th March, state what has been done pursuant to the *Act for encouraging the importation of Naval Stores, etc.* (v. H. of L. MSS.). [*C.O.* 324, 9. pp. 455-480.]

March 21. **746.** Mr. Burchett to Mr. Popple. *Reply to March 20.* The Jamaica and Barbadoes convoys, all but the *Experiment*, are now at Spithead, under orders to proceed with the Trade, that is likewise there, as soon as wind and weather will permit, and the *Experiment* will probably sayl with the two ships for the Leward Islands, that may be ready to depart in 10 or 12 days ; and the convoy to Jamaica calls at those Islands and Barbadoes. *Signed*, J. Burchett. *Endorsed*, Recd. Read March 21, 17<sup>11</sup><sub>9</sub>. *Addressed*. 1 p. *Enclosed*,

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746. i. List of (10) H.M. ships appointed to convoy the West India Fleet.  $\frac{1}{2}$  pp. [*C.O.* 137. 9. Nos. 35, 35 i.; and 138, 13. pp. 325, 326.]

March 21. **747.** Council of Trade and Plantations to Lord Dartmouth.  
Whitehal. *Refer to preceding.* We hope to transmit to your Lordship some time to morrow the Instructions we were directed to prepare relating to Antegoa. [*C.O.* 138, 13. p. 327: and (*autograph signatures*) 318, 3. No. 37.]

[March 21]. **748.** Copy of Victualling bills, drawn by Col. Vetch, at Boston, for £2115 sterling, with list of troops (564) at Annapolis. 2 pp. [*C.O.* 5. 898. No. 6.]

March 21. **749.** Council of Trade and Plantations to the Queen. *Enclose*  
Whitehall. papers relating to the *St. James* of Barbados. (*v.* March 15.) [*C.O.* 38, 7. p. 5.]

March 22. **750.** Council of Trade and Plantations to Lord Dartmouth. In pursuance of ye directions we receiv'd from the Rt. Hon. the Lords Committee of Council, when we attended their Lordships on Monday last. we have had under our consideration the state of the Island of Antego in America. with regard to the late rebellious tumult and barbarous murder of Col. Parke, H.M. late Governor of the Leeward Islands, as likewise to the security of ye peace and quiet of that Island; and having discours'd some merchants trading to and planters in those parts, and consulted Mr. Attorney and Solicitor Genll. on that occasion. For the better quieting and securing the peace of that Island from any intestine commotions which may incourage attempts by ye French from their neighbouring settlements, we humbly propose that H.M. pleasure be signify'd to the Lord Archibald Hamilton now on his departure to his Government of Jamaica, and to the Commodore of the men of war appointed to convoy the West India Trade, that so soon as Mr. Lowther, who is likewise going to his Government, shall be landed at Barbados, they do proceed with all those ships of war to the Island of Antego; and upon their arrival there give notice thereof to Mr. Hamilton the Lieut. General and Commander in Chief of ye Leeward Islands, or in case of his death or absence out of the said Island of Antego, to the Lieut. Governor or Commander in chief there for the time being, to the end the said Lieut. Genl. or Commander in Chief may pursuant to the directions to be sent to him for that purpose, repair to the Lord Archibald Hamilton and Commodore on board, for we conceive it may be convenient that his Lordship and the Commodore do continue on board during their stay at that Island, unless upon any extraordinary occasion they in concurrence with the Lieut. Genl. or Commander in Chief shall be of opinion it may be necessary for H.M. service to go ashoar. That so soon as the Lieut. Genl. or Commander in Chief shall be on board they communicate to him such orders or instructions as they shall receive from H.M. touching ye aforesaid matters, and

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inform themselves after the best manner they can of all ye circumstances of those facts, and of ye present disposition of ye people and state of ye Island. If there shall be any tumult or commotion in the Island, and if the Lieut. Genl. or Commander in Chief shall apprehend he has not a sufficient force on ye Island to suppress the same, or to secure the peace and quiet thereof, by reason great numbers of the inhabitants involv'd in that guilt may with good grounds think themselves in danger of being brought to justice and punish'd for such their heinous offences ; we propose that in such case the Lord Archibald Hamilton and ye Commodore be empower'd and directed to be assisting to the Lieut. Genl. or Commander in Chief in suppressing and quieting such tumult or commotion, and particularly to give the necessary orders to ye commanding officer of ye marines (consisting now of about 250 men) on board of all ye ships of war, which will be there, to be aiding and insisting therein. And if for ye several purposes herein before and after mention'd or any of them ; the Lieut. Genl. or Commander in Chief shall judge it necessary that a supply of men out of ye Regiment of Foot, now in ye Leeward Islands under the command of Col. Jones, be drawn from any of ye other Leeward Islands and transported to Antego, they may conveniently be transported in such ships or vessels there as shall be judged most proper for yt. purpose, and ye Lord Archibald Hamilton and ye Commodore may be requir'd to give ye necessary orders accordingly : provided due care be taken that those Islands from whence any soldiers shall be drawn be not thereby left expos'd to ye danger of being insulted by ye French. And whereas during ye present war, some of H.M. ships are appointed to attend ye service of ye Leeward Islands under such orders as shall from time to time be given by ye Lieut. Genl. or Commander in Chief of those Islands for ye time being, we offer as a further security to the Island of Antego, that ye said Lieut. Genl. or Commander in Chief be directed to take care that one at least of those ships of war do constantly cruize off that Harbour, so long as he shall have reason to apprehend any manner of danger from disorders in ye Island or any encouragement that may thereby be given to ye French to make an attempt upon it. The foregoing provisions are wt. we have to propose for ye suppressing any rebellious tumult or commotion yt. may still continue or may arise in yt. Island, wch. provisions we hope may prove effectual. By such accounts as we receiv'd and transmitted to your Lordship of what has lately pass'd at Antego, it appears that very great numbers of H.M. subjects in that Island have in an open and rebellious manner taken up arms and kill'd some of H.M. Forees, being then upon duty for the defence of that Government, and have committed a barbarous murder upon ye person of Col. Parke the Govr. We are sensible of what dangerous consequence such proceedings may be to publick peace and safety of H.M. subjects in America, and that it is agreable to H.M. tender regard for ye good of her people, to Her royal inclination to justice and utter abhorrence of such offences, that ye most notorious offenders therein be brought to Justice and punish'd, whereby all others may be deterr'd from committing or attempting ye like offences for ye

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future. And accordingly we having had that matter under our consideration, take leave to lay before your Lordship, that in regard great numbers of ye inhabitants of ye Island may have been concern'd therein, we are apprehensive, and in our humble opinion not without reason, yt. no good effect can be expected from a prosecution of any of ye criminals in a course of Justice at Antego, wch. being ye case, we do not see by wt. other way, any of them may be brought to condign punishment, unless by ye Act of 35th of Hen. VIII for tryal of treasons committed out of ye King's dominions, they may be tryed for ye foresaid offences in ye Court of Queen's Bench. But in such a tender point wch. depends upon ye construction of a Law wherein there have been very few if any tryals for many years past and wherein ye life of ye subject is drawn in question, we presume it will not be expected we shou'd give any opinion, or found any direct proposal thereon, whereas were ye opinion of ye Judges known upon yt. statute wth. regard to ye circumstances of the foresaid offences, and if they shall be of opinion that ye same are cognizable in ye Queen's Bench here, tho' done at Antego, then we offer yt. for the reasons beforemention'd some of ye chief promoters, abettors, and actors of and in that rebellious tumult and horrid murder be brought over from thence in custody and tryed here ; Wherefore if ye doing thereof shall be judged lawfull and advisable to be done in order thereto we propose, that ye Lieut. Genl. or Commander in Chief be directed in ye presence of the Lord Archibald Hamilton, the Commadore, and such Magistrate of ye Island as they shall judge proper for ye purpose, to inquire into ye said offences by ye examination of witnesses upon oath to be lawfully administred, and to take such depositions in writing, sign'd by ye parties making ye same, or by any other proper and lawfull ways by wch. ye whole truth of those matters may best be discovered. And having found out ye chief promoters or abettors thereof and actors therein, that he forthwith cause so many of ym. as H.M. shall think fit, to be seized and brought into this Kingdom under safe custody, the particular persons so to be seiz'd and sent over being such as to them the said Lieut. Genl. or Commander in Chief, the Lord Archibald Hamilton, and ye Commadore shall appear to have been the greatest offenders, and yt. at the same time he take care that a competent number of the most material witnesses be sent over into this Kingdom, who are able to prove ye facts, upon ye tryals of such offenders. And that in ye seizing and sending over such offenders the Lieut. Genl. or Commander in Chief if occasion requires, be assisted in ye manner beforementioned. But if it shall so happen yt. any offenders have already been try'd for ye said offences, and have been acquitted thereof by course of Law, care must be taken not to seize or send over any person so tryed and acquitted. In case it shall not be thought lawful or advisable to send over into this Kingdom any of ye offenders to be tryed here, we then propose that the Lieut. Genl. or Commander in Chief be directed to cause so many of the most notorious offenders as H.M. shal think fit to direct, to be forthwith proceeded

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against and punish'd for the said offences according to the known laws of that Island ; and that the Lord Archibald Hamilton and ye Commodore do take effectual care to prevent or suppress any tumults or commotions that may arise in that Island on accot. of such tryals or otherwise as aforesaid. Of all which their proceedings we propose that the Lord Archibald Hamilton and the Commodore by ye first opportunity of a safe conveyance to (= ? *do*) transmit to one of H.M. Principal Secrys. of State, and to ye Commrs. for Trade and Plantations a full an(*d*) exact account, with ye examinations and depositions taken and other proceedings had in yt. matter ; and that afterwards so soon as conveniently may be, they send also duplicates and copies thereof. [*C.O.* 153, 11. *pp.* 138–146.]

March 22. **751.** Mr. Popple to Mr. Attorney and Mr. Solicitor General.  
Whitehall. Requests their reply to Jan. 3 as soon as may be. [*C.O.* 29, 12. *pp.* 338, 339.]

March 22. **752.** Lord Dartmouth to Governor Lord Archibald Hamilton.  
Whitehall. Having laid before the Queen your Lordship's letter of the 14th inst. together with the Memorial enclosed about the exchange or release of Don Carlos de Suere Deputy Governor of Cartagena, now a prisoner of warr upon parole, H.M. consents to the exchange of the said Don Carlos for Thomas Jones Esq., who has the rank of Colonel, and is actually Lt. Col. of the Earl of Barrymore's Regimt. and of Captain England of the same regiment, both taken prisoners at the battle of Caya near Badajos. As soon as this exchange shall be agreed on the part of Spain, I will acquaint your Lordship with it. In the mean time upon your arrival at Jamaica, you may acquaint the said Don Carlos with the orders H.M. has given, and improve this opportunity to the advantage of H.M. service, and the advancement. of the Trade and Commerce of that Island. *Signed*, Dartmouth. [*C.O.* 324, 32. *pp.* 63, 64.]

March 22. **753.** H.M. Warrant to the Attorney or Solicitor General  
St. James's. appointing — Broderick Attorney General of Jamaica. *Counter-*  
*signed*, Dartmouth. [*C.O.* 324, 32. *p.* 65.]

March 24. **754.** Mr. Popple to Mr. Burchet. Encloses extract of Mr.  
Whitehall. Polhampton's memorial, to be laid before the Commrs. of the  
Admiralty. [*C.O.* 324, 9. *p.* 481.]

March 24. **755.** Order of Queen in Council. Repealing Act of Virginia,  
St. James's. 1666, *declaring what is meant by seating of land.* (*v.* Feb. 22).  
*Signed*, William Blathwayt. *Endorsed*, Recd. Read April 9, 1711.  
1 *p.* [*C.O.* 5, 1316. *No.* 58 ; and 5, 1362. *pp.* 266, 267.]

March 24. **756.** Order of Queen in Council. The Secretary of State is  
St. James's. to signify to the Government of Virginia H.M. pleasure that the  
Instruction to the Governor relating to the granting and seating of

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lands be passed into an Act. (v. Feb. 22.) *Signed and endorsed as preceding.* 1 p. [*C.O.* 5, 1316. No. 59; and 5, 1363. pp. 268-270.]

March 24.  
St. James's.

**757.** Order of Queen in Council. David Lloyd is to be heard in answer to Mr. Keen's charges, *etc.* (v. March 1st. *etc.* and A.P.C. II. p. 637). *Signed*, Wm. Blathwayt. *Endorsed*, Recd. Read April 3, 1711. 1 $\frac{1}{4}$  pp. *Enclosed*,

757. i. David Lloyd to the Queen. Prays to be heard in defence of his brother the late Major Thomas Lloyd.

757. ii. Answer of David Lloyd to Mr. Keen's charges Jan. 26, 31. A denial of the 7 charges set out A.P.C. II. pp. 634-7. 4 pp. [*C.O.* 194, 5. Nos. 5, 5 i., ii.; and 195, 5. pp. 223-228.]

March 24.  
Whitehall.

**758.** Lord Dartmouth to the Council of Trade and Plantations. H.M. having been pleased to appoint Major Walter Douglas to succeed Col. Parke deceased in the Government of the Leeward Islands, I desire that you will direct the draughts of his Commission and Instructions to be prepared as usual, *etc.* *Signed*, Dartmouth. *Endorsed*, Recd. 27th, Read 29th March, 1711.  $\frac{3}{4}$  p. [*C.O.* 152, 9. No. 49; and 153, 11. pp. 146, 147.]

March 24.  
St. James's.

**759.** Order of Queen in Council. Referring following petition to the Council of Trade and Plantations for their report. *Signed*, William Blathwayt. *Endorsed*, Recd. 27th, Read 29th March, 1711. 1 p. *Enclosed*,

759. i. Petition of Edward Buncombe of Montserrat to H.M. in Council. Upon apprehension of the present war an Act of the General Council and Assembly of the Leeward Islands was passed at Nevis, 1701, and confirmed by your Majesty in 1703, whereby it was enacted that if any person should receive damage by the landing of the enemy upon any of the Islands, the same should be made good to him out of the publick stock by the Treasurer of each respective Island where the same shal happen, according to an estimate to be made upon oath by three freeholders of the vicinity, to be appointed by the Governor or Lieutenant Governor, *etc.* In Dec. 1708, the crew of a French privateer landed in Montserrat and robb'd petitioner of 29 negroes, and several parcels of plate, apparel and household stuff, weh. by an appraisement made thereof by 3 freeholders of the vicinage appointed thereto by the Governor in Chief in pursuance of the said Act amounted to £1330 11s. 6d. Petitioner thereupon apply'd himself to the Lieut. Govr., Council and Assembly of Montserrat for their order to the Treasurer for the payment of the said sum, who at first referr'd petitioner to the General Council and Assembly of all ye said Islands then about to meet at St. Christophers, where upon petitioner's application, the said Governor in Chief and Gentlemen of the Council were of

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opinion that petitioner ought to be paid the said sum, and recommended it to the General Assembly, but before anything more was done thereon, the said General Council and Assembly were adjourn'd, and having since again apply'd to the President, Council and Assembly of Montserrat. they now finally refuse to grant the said Order for payment, tho' all the other Islands of that Government have comply'd with and made payments pursuant to the said Act. *Prays* H.M. to order them to pay him accordingly. *Copy.* 2 pp. [*C.O.* 152, 9. Nos. 51, 51 i.; and 153, 11. pp. 170-173.]

March 24. **760.** Order of Council. Referring enclosed petition to the  
St. James's. Council of Trade and Plantations for their report thereon. *Signed*,  
William Blathwayt. *Endorsed*, Recd. 29th March, Read April 3,  
1711.  $\frac{1}{2}$  p. *Enclosed*,

760. i. Petition of Samuel Barwick to the Queen. Appointed to the Council of Barbados in 1709, petitioner was displaced by the restoration of the suspended Councillors. Prays to be restored to his former place in the Council, in place of Middleton Chamberlayn decd. *Copy.* 1 p. [*C.O.* 28, 13. Nos. 56, 56 i.; and 29, 12. pp. 340, 341.]

March 24. **761.** Mr. Popple to George Granville, Secretary at Warr.  
Whitehall. Encloses extract from the memorial of Mr. Polhampton, Purser of H.M.S. the *Kinsale*, relating to the 4 companies of soldiers of New York (*v.* March 5). PS. Mr. Polhampton is to be heard of at the Golden Ball in Coleston's Court in Great Wild Street. [*C.O.* 5, 1122. pp. 320, 321.]

March 25. **762.** Petty Expenses of the Board of Trade, Postage, Stationery, etc. Christmas, 1710—Lady-day, 1711. *v.* B.T. Journal. 5 pp. [*C.O.* 388, 76. Nos. 115-117.]

March 26. **763.** Lord A. Hamilton to Lord Dartmouth. *Acknowledges* letter of 22nd inst., signifying H.M. commands in relation to the exchange of Don Carlos de Suere, Depty. Governor of Cartagena, now a prisoner of war. As soon as I arrive at Jamaica, I shall not fail to acquaint him with H.M. orders, and endeavour to improve them to the advantage of H.M. service, and the advancement of the trade and commerce of that Island. *Signed*, A. Hamilton. 1 p. [*C.O.* 137, 51. No. 36.]

March 26. **764.** Lord Dartmouth to the Council of Trade and  
Whitehall. Plantations. The enclosed paper contains a paragraph which the Queen thinks proper to be inserted in Majr. Douglass's Instructions, etc. *Signed*, Dartmouth. *Endorsed*, Recd. 27th, Read 29th March, 1711.  $\frac{3}{4}$  p. *Enclosed*,

764. i. Additional Instruction for Governor Douglas, March 24, 1710 (11). To cause a proclamation to be issued in the Queen's name containing H.M. pardon to all the offenders in Antegoa on the account of the late Rebellion

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there, excepting a number not exceeding six and not less than three, of those he shall find the most notoriously guilty, whom or so many of them within the said number, as he shall judge proper, he shall cause to be brought to tryall according to law, and shall direct the same to be put in execution accordingly. But in case he shall find good reason to beleive justice is not like to be had in that Island, he shall be at liberty not to proceed to a tryall of the criminals there, but instead thereof to send over into Brittain, a number of the cheif offenders not exceeding six nor under three to be prosecuted here according to law. 1 p. [C.O. 152, 9. Nos. 50, 50 i.; and 153, 11. pp. 167, 168 ; and (enclosure only) 152, 42. No. 20.]

March 26. **765.** Jeronimo Clifford to the Council of Trade and Plantations. *Renews* his claim (v. C.S.P. 1704, 1705) against the Dutch Society of Surinam for damages, and offers to let the Government have the sum upon interest during the war. *Signed*, Jer. Clifford. P.S. April 26. Suddainly after your receiving these, my intention is to lay my petition before H.M. in Councill. *Endorsed*, Recd., Read June 4, 1711. 6 pp. [C.O. 388, 76. No. 114.]

March 29. **766.** Council of Trade and Plantations to Lord Dartmouth. We inclose ye draught of a Commission for Walter Douglas to be Govr. of H.M. Leeward Islands (v. March 24), wch. is in ye usual form ; and we are preparing ye necessary Instructions for him with all possible dispatch. *Annexed*,

766. i. H.M. Commission to Mr. Douglas *referred to in preceding*. Westminster, April 11, 1711. *Countersigned*, Wright. [C.O. 153, 11. pp. 147-167.]

March 29. **767.** Mr. Popple to Mr. Attorney and Mr. Solicitor General. *Encloses* Additional Instructions *etc.* to Governor Douglas, v. March 26. The Council of Trade and Plantations desire your opinion, the beginning of next week if conveniently you can, whether what is therein directed with relation to the bringing over any of the persons concern'd in order to their being tryed here can be legally done. [C.O. 153, 11. p. 169.]

March 31. **768.** Mr. Frowde to Mr. Popple. I am order'd by the Post Genll. Post Office. Master Genll. to send you the inclosed papers, they came to this Office by the last mail from Portugall, by the wett wether from Milfordhaven, where the Capt. of the Pacqt. Boate landed the mail, these with severall other letters suffer'd so much that we could not discover who the letters belong'd to, these inclosed seem to relate to the West India's, and it being imposable to discover who they were designed for, the Post Mar. Genll. has directed me to send them to the Comrs. of Trade under cover to you. *Signed*, Ashburnham Frowde. *Endorsed*, Recd. March 31st, Read April 3, 1711. *Addressed. Sealed. ½ p. Enclosed*,

768. i. Copy of Address of Council of New Jersey to Governor

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Hunter. Wee esteem ourselves the most happy in being subjects to the Queen, the best of Princes, and under the wisest constitution of Government in the world, not to be mended by humane invention. Wee therefore deem ourselves in conscience bound to use our endeavours to preserve the prerogative from lycentious encroachments as the rights and libertys of the subject from open violation. That all just debts of the Governmt. be duly satisfied, that Courts of Judicature be thoroughly established, that fitt and proper officers be appointed in each County, that convenient jayles for the security of debtors and crimenalls be erected, and that there be a steady equall and impartial distribution of justice to all men, *etc.* *Welcome H.E. and promise him their support.* *Signed,* Wm. Pinhorne, Richd. Townly, Danl. Coxe, Roger Mompesson, Peter Sonmans, Hugh Huddy, William Hall, Robt. Quarry. *Subscribed,* these eight above are the Gentlemen of the Council that opposes H.E. in everything, who sets up for the true friends of the Ld. C. Dear Brother, These just now came to hand. I desire after you have perused them deliver them to Col. Nicholson, *etc.* 2 pp.

768. ii. Minutes of Assembly of New Jersey Jan. 2-4, 1710 (11). *Copy.* 2½ pp. [*C.O.* 5, 970. *Nos.* 101, 101 i., ii.]

[March].

**769.** Jeremy Dummer, Agent for the Massachusetts Bay to Lord Dartmouth. I am directed by that Province to represent that they are humbly of opinion that the Quota of men and money furnish'd by them for the late Expedition was more than their proportion to what the other Governments contributed. And that it came the heavier, because their constant expence is at the least £30,000 per annum to maintain garrisons on the frontiers and to equip vessells of war to guard the coast, in the advantage of which the neighbouring Governments have shar'd; whilst they have in a great measure sat easy, especially New York, by having their guards at the expence of the Crown, and by maintaining a criminal neutrality with the French Indians. Whereupon the Province of the Massachusetts most humbly prays that if H.M. shall see meet to form an expedition against Canada (which has fill'd the Continent with their cruelties) that their Quota may be lessen'd, and that the Southern Plantations as far as Virginia (including it) may receive H.M. Instructions to contribute towards the expedition, inasmuch as their repose and security depend upon it. [*C.O.* 5, 10. *No.* 139.]

April 1. **770.** Order of Queen in Council. Approving of draught of St. James's. Commission for Governor Douglas *etc.* *Signed,* Christo. Musgrave. *Endorsed,* Reed. 11th, Read 12th April, 1711. 1 p. *Enclosed,*

770. i. Draft of Commission to Governor Douglas relating to the rebellion in Antigua. *Parchment.* 1 p. [*C.O.* 152, 42. *Nos.* 56, 57; and (without enclosure) 152, 9. *No.* 54; and 153, 11. pp. 277, 278.]

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Aprill 2.  
Whitehall.

**771.** Lord Dartmouth to the Council of Trade and Plantations. Enquires if there is any objection to the appointment of Thomas Byerly to the Council of New York. *Signed*, Dartmouth. *Endorsed*, Recd. 18th, Read 24th May, 1710. 1 p. [C.O. 5, 1050. No. 18 ; and 5, 1122. p. 325.]

April 3.  
Spanish Towne.

**772.** Governor Handasyd to the Council of Trade and Plantations. Since my last (March 20) Capt. Riddle, Commander of one of H.M. ships, has run a French negro ship on shore, and has brought in here between 90 and 100 slaves ; and I do not here that anything else was saved, the Frenchmen all gott on shore. *Encloses* publick accounts to be laid before the Lord Treasurer. H.M. Regiment being so severally fateagued what with supplying H.M. shippes wth. men, as well as the hard duty the Island requires, make me very sorry that they cannot be relieved with me, *etc.* *Signed*, Tho. Handasyd. *Endorsed*, Recd. 18th, Read 27th June, 1711. 1 p. *Enclosed*,

772. i. Accounts of H.M. Revenue (£9330) (fines, forfeitures, quit-rents, wine licences, impost) and of the Fortifications, Jamaica, March 25, 1709–1710. *Endorsed*, Recd. June, 18, 1711. 19 large pp. [C.O. 137, 9. Nos. 37, 37, i.; and (without enclosures) 138, 13. p. 332.]

April 3.  
Spanish Towne.

**773.** Governor Handasyd to Lord Dartmouth. *Duplicate of preceding letter.* [C.O. 137, 51. No. 37.]

April 3.  
Whitehal.

**774.** Mr. Popple to Mr. Attorney and Mr. Solicitor General. The Council of Trade and Plantations having prepar'd the draught of an Instruction relating to the late rebellion at Antego, send you a copy thereof (*v. following*) for your opinion thereupon as soon as possible. They further desire you will consider whether the powers therein mention'd ought not to be granted under the Great Seal, the power of pardoning rebellion and murder being excepted out of the Governor's Commission, who in such cases can only grant a reprieve, till H.M. pleasure be known. Since the writing of this their Lordships have been press'd to make all possible dispatch in this affair, *etc.* [C.O. 153, 11. p. 174.]

April 3.

**775.** Mr. Attorney and Mr. Solicitor General to the Council of Trade and Plantations. *Reply to preceding and March 29.* We have made some alterations in the Comission to the Governor of the Leeward Islands, which wee think proper, and submit them to your Lordships' consideration ; And wee are humbly of opinion, that the Comission may be in common form, and that the Additional Comission which wee have perused and altered, may be passed separately, and must be under the Great Seal of Great Britain, adding the usual beginning and conclusion. *Signed*, Edw. Northey, Rob. Raymond. *Endorsed*, Recd. Read April 4, 1711.  $\frac{3}{4}$  p. *Enclosed*,

775. i. Corrected draught of Additional Instruction to Governor Douglas (*afterwards turned into a Commission, with the usual beginning and ending, and signed by H.M. at St.*

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*James's, April 11, 1711. The corrections in Italics.)*  
Whereas We have been informed that great numbers of our subjects in our Island of Antegoa in America, have lately in an open rebellious manner taken up arms and committed a most barbarous murder upon the person of Daniel Park Esq., then our Capt. General of our said Leeward Charibbee Islands, whereby they have incurr'd, and justly deserved, to suffer such pains and punishments as by Law are inflicted for such heinous offences; Nevertheless We being perswaded that many of the offenders were drawn into that rebellion and murder by the subtile insinuations and by the influence of some of the chief advisers and promoters thereof, and not from any rancour of mind or disaffection to our Government, yet by reason of such their guilt and thro' a despair of our mercy, may throw themselves into evil courses of life, to the endangering the peace and safety of our good subjects, for prevention thereof (by removing all such fears and distrust, as much as in us lies) We, out of our princely disposition to forgive, have resolved that our Clemency shall temper our Justice, Our will and pleasure therefore is We do hereby fully impower and require you that so soon as you shall arrive at Antegoa (to which Island you are to repair without loss of time) *and shall have fully informed yrselve of the circumstances of ye persons concerned therein, and shall have seised and secured the most notorious of the sd. offenders in number not exceeding six and not less than three in order to their being brought to justice,* you cause a Proclamation to be there issued in our name *under our Great Seale of yt. Island,* and published in ye usual manner, containing Our gracious and general pardon, release, and discharge for us our heirs and successors unto all the said offenders (except such *of them* as shall be *seised and secured as aforesaid*), their heirs, executors and administrators them, and every of them, of all and all manner of treasons, felonies, misprisions, of treason, or felony, murders, crimes, misdemeanors and offences whatsoever by them, and every of them (except as aforesaid) consulted, commanded, acted, or done, on account of ye said late rebellion and murder, and of all pains, penalties, and forfeitures, that may accrue, for the same; and you are to take care that a clause be therein inserted, whereby it shall be declared that such our free pardon, by the general words, clauses and sentences thereof, shall be reputed, deem'd adjudged, expounded, allowed, and taken in all our Courts there, and elsewhere most beneficially for all our said subjects (not therein and thereby excepted) as if their particular persons and crimes were therein at large and fully expressed, and that such other words, clauses, and sentences be therein likewise inserted, as are usual in Proclamations of

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general pardon for the making the same most effectual. And whereas out of Our just abhorrance of such heinous offences, and to the end that by a total impunity thereof, the peace and safety of our good subjects may not be again endangered, We have judged it highly necessary that some of ye most notorious offenders be brought to condign punishment, whereby all others may be deterr'd from committing or attempting ye like for the future, Our further will and pleasure is, and we do hereby further impower and require you that you forthwith cause such and so many of the *said offenders (soe by you to be seised and secured as aforesaid)* as you shall judge proper to be tryed in the usual course of Justice, for such their offences, and being thereof legally convict to suffer according to law. But if by reason of the great number of persons involved in that guilt or otherwise, you shall have good grounds to beleive, *or shall find yt.* Justice is not like to be had against any of the offenders in that our Island, you may then forbear to proceed to tryal of any of them *soe by you seised and secured as aforesaid*, anything herein beforecontained to the contrary notwithstanding. And in such case Our further will and pleasure is and We do hereby further impower and require you, that by the first convenient opportunity you cause *the said offenders so seised and secured as aforesaid* to be sent into this our Kingdom under safe custody, in order to their being proceeded against and punished here according to law, provided you do not cause any offender who shall have been already tryed there for the said rebellion, or murder, and acquitted thereof, by due course of law, to be either tryed there a second time for the same offence, or sent over hither in order to such prosecution here as aforesaid. And lastly Our will and pleasure is, that you give a full account of your proceedings herein, to one of our Principal Secretaries of State, and to our Commissioners of Trade by the first opportunity. *Endorsed, Recd. Read April 4, 1711. 6 pp. [C.O. 152, 9. Nos. 52, 52 i.; and 153, 11. pp. 175-180.]*

April 4.  
Whitehal.

**776.** Council of Trade and Plantations to Lord Dartmouth. Enclose draught of Instructions for Governor Douglas (*v. preceding*). Mr. Attorney and Mr. Solicitor General are of opinion that the powers therein mention'd should be given by a Commission under the Great Seal of Great Britain, in order whereunto we conceive it will be sufficient that the usual beginning and conclusion of Commissions be added. We shall transmit the ordinary instructions to your Lordship as soon as possible, *etc.* [*C.O. 153, 11. pp. 180, 181.*]

April 4.  
Whitehal.

**777.** Council of Trade and Plantations to Lord Dartmouth. In accordance with H.M. Orders (March 1st and 24th) we were attended yesterday by Mr. Keen, who inform'd us that

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he was able and willing to make good his complaint (Jan. 26, 31), and desired leave to inspect and have copies of accounts at the Ordnance Office given in by the Engineer at Newfoundland 1705-8, and that Mr. Hucksford, late Master-gunner, and William Janson, late gunner there, now both at the Ordnance Office may be summoned to attend the Council on the day fixed for hearing. We not having sufficient powers to require the attendance of any person at the Council Board, or to direct that he be allowed to inspect the accounts as desired, refer him to your Lordship. On this occasion we take leave to observe to your Lordship that the sending us a copy of an Order of Council, where we ought to have had an original under the seal of the Office, we conceive to have been very irregular, yet that H.M. service might not suffer, we have proceeded upon the copy. *Autograph signatures.* 2 $\frac{3}{4}$  pp. [C.O. 194, 23. No. 3; and 195, 5. pp. 228-230.]

April 4.  
Whitehal.

**778.** Mr. Popple to Mr. Keen. The Council of Trade and Plantations think it necessary for you to lay before them affidavits in proof of your allegations against Major Lloyd *etc.* [C.O. 195, 5. pp. 230, 231.]

April  $\frac{4}{15}$ .  
Fort  
Kykoverall.

**779.** Commandant Vanderheyden Rezen to the Directors of the Dutch West India Co. *Signed*, P. Vanderheyden Rezen. *Endorsed*, Recd. June 19 (N.S.) 1711. *Dutch.* 3 pp. [C.O. 16, 21. No. 4.]

April 5.  
Whitehall.

**780.** Lord Dartmouth to Governor Lord A. Hamilton. *Encloses* following petition on behalf of several mariners prisoners at Lima. H.M. would have your Lordship immediately upon your arrival at Jamaica use your best endeavours to obtain their release in case they are not sooner discharged, either by exchange of others, if there be any such on the Island, or by such other means as your Lordship shall think most proper, which being an act of so much charity and compassion towards H.M. subjects, I need not further recommend it to your care. *Signed*, Dartmouth. *Annexed*,

780. i. Petition of John Bachelor, James Hollidge and other merchants of Bristoll to the Queen. Petitioners fitted out a ship from Bristol called the *Dutchess* upon an Expedition into the South Seas to annoy the enemy in those parts, and have taken several prizes and one town. Simon Hatley, mate, with others of the crew, who were putt on board one of the prize ships, being obliged thro' want of provision to go on shore, were seized by the inhabitants and carried to Lima prison, where they now are, together with several others of your Majesty's subjects formerly belonging to the ships under Capt. Dampiere's command. *Pray* H.M. to order the Governor of Jamaica to send to Lima to claim them. *Annexed*,

780. ii. Simon Hatley to Messrs. Hollidge & Co. Lima Prison, Nov. 6, 1709. Reports as above. *Concludes*:—Some of

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our countrymen that were here before we came, they have made turn their religion, we live a sorrowful life amongst them, and always plagued by the Fathers, putting us in irons and in the dungeon to make us turn, but we are resolved to dye first. I and one more they have had to the gallows, hanged until we were almost strangled before they cutt us down, this is what offers from, Gentlemen, Your most humble servant. *Signed*, Simon Hatley. *Mem.* Similar letter with enclosures sent to Brigadier Handasyd. [*C.O.* 324, 32. pp. 64-68.]

April 5.  
Whitehall.

**781.** Council of Trade and Plantations to Lord Archibald Hamilton. *Reply to March 16.* We find, upon enquiry at the Lord Dartmouth's Office, that H.M. has been pleased to sign a warrant appointing Mr. Broderick Her Attorney General of Jamaica. We wish your Lordship a safe and speedy voyage to your Government, *etc.* [*C.O.* 138, 13. p. 328.]

April 5.  
Antigua.

**782.** Lt. General Hamilton to the Council of Trade and Plantations. *Encloses duplicate of former letter relating to the death of Governor Parke, with Minutes of Council.* I have very little addition to make, all the endeavours used by myselfe and the Members of the Generall Council proving ineffectuall, as your Lordships may perceive by the Minutes of March 14, *etc.*, [*by which*] your Lordships may be duly informed of the stepps made both by the Council and myselfe to discover the truth of that unhappy affair, but as it hath proved unsuccessfull, so I have not to enlarge thereon, only to begg that your Lordships will admitt me to recommend that part of the Council's request which implores H.M. most gracious and favourable construction on the unfortunate action, assuring your Lordships that nothing will so effectually contribute to the restoration of peace and unity amongst the people as H.M. grace and favour on the unhappy commotion, without which I fear this poor Island will soon be in a farr worse and more distracted condition then ever, espetially if there should be any prosecution against the inhabitants, most of them being concerned therein, for prevention whereof I presume your Lordships will use your utmost endeavours in regard to H.M. interest and the good and tranquility of the Island, which I hope will now be brought into some posture of defence in a little time, the Councel and Assembly in conjunction with myselfe pursuing all measures that tend thereto, so that unless there be a turne of affaires by a prosecution for the unhappy action relating to the death of Generall Parke, or some thing else intervenes, which cannot be foreseen I perswade myselfe I shall be able to give your Lordships' advice that our fortifications are repaired, lost discipline restored, the divisions heal'd, and all things running in their due channell, to accomplish which I assure your Lordships there shall not anything be wanting that is in my power. But in the interim, the magazeens and stores of warr in the other Islands as well as this are exhausted, and tho' I have recommended to the consideration of the Generall Council and Assembly the

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providing a new supply, yet I am now obliged to lay the same before your Lordships, and to request that you will be pleased to supplicate H.M. for a good quantity of small arms, cartouch boxes, swords, powder, flints and other stores, to be sent by the first good conveyance which shall happen for the defence and protection of these her Islands, there being no possibility otherwise to procure the same as your Lordships may perceive by the copy of an address to me from the Generall Council and Assembly entered amongst their Minutes of March 3rd., *etc.* This Government is in great want of these as well as of all stores for our great guns especially carriages, for those sent by Sir John Jennings and the St. Quintine of which last his late Excellency sent the ten culverin to this Island, where they have ever since the hurricane been buried in the sand, which I am now about getting out againe. But the carriages were quite lost in the storme, he also sent four of the demi-culverin with powder and other stores in proportion, he likewise sent away the flagg and ginn that came in said ship for want of which I am forced when there is occasion to mount any guns at Nevis to order them to be lodged in their carriages woal'd with a haszard and so oversett which is a mighty straine and often breakes the axell trees if not the whole carriage, the flagg was never delivered to any of the Islands, but the ginn was sent here. The late Generall at the request and desire of the Council of this Island commissioned and appointed Lt. Governour Yeamans to be Chiefe Justice of the Courts of Common Pleas in this said Island, which I find to be contrary to H.M. Instructions, but as I presume H.E. advised your Lordships thereof, so I thinke convenient to continue him untill I have your Lordships' opinion therein, that I may act agreeable thereto. By my last I did promise your Lordships to make enquiry for the old seal and to returne the same if it could be found, the first of which I have perform'd and should have been glad to have obeyed the other, but by what I can understand the same was melted and made into a Tankerd for his late Excellency by his owne orders and directions, so 'tis not possible to comply with your Lordships' commands in that particular. I think it indispensably my duty to lay before your Lordships the ill state of the Islands for want of their being guarded and the trade to and from them protected, which its imposable can be done by one man of warr, the Islands lying separte, and at so great a distance from each other, the dayly insults committed by the enemys privateers are too plain demonstrations thereof. They narrowly watch the motion of the man of warr, that when she is to windward they are commonly to Leeward and appear even at the mouths of our very harbours, by which means the inhabitants of the severall Islands are constantly harrassed and obliged to guard every night to prevent their being robbed; which notwithstanding, some time happens, as it did about a month agoe on the Island of Montserrat where they landed in the night and almost ruin'd two particular familys, vizt. that of the late Lieut. Governour's and a nephew of his one Capt. Anthony Fox, they tooke from the former 45 very fine slaves and 25 from the latter, and one from Capt. George Wyke,

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and would have taken more had they not been discover'd by a negroe that made his escape and allarm'd the Island, which brought downe the Gentlemen and others out of the Country, who took 26 of the negro stealers (for no other I can call them) prisoners, whom, since they had quarter given them, I have sent amongst some other prisoners that were here to Martinique to be exchanged. By all which your Lordships may judge that these Islands ought at least to have as many ships of warr to protect them as is allowed to the Government of Barbado's which is only one single Island, and may be much easier guarded by two (though they have three) then this Government can be by four, which I hope your Lordships will be pleased to consider and take such measures therein as may be for the service of H.M. and the benefitt and advantage of these Islands as well as in respect to the security of their trade as the ease and defence of the inhabitants. I likewise hope your Lordships will have patience and pardon me for giving your Lordships this long and undeniable demonstration of which I beleiving it absolutly my duty so to do, which is vizt. that there ought allways to be one of the men of warr on this station during the present warr to attend the Governor in Chief or Capt. Generall, who is at all times oblidged to go from one Island to the other as H.M. service requires it, that one of the said ships of warr ought to cruise to windward to protect the trade coming to the respective Islands, one to Leeward, and constantly to convoy or see the loaden ships from the severall Islands out of danger of the privateers, and these men of warr alternately change their stations, by which means they would at uncertaine times be oblidged to make a cruize betwixt the severall Islands, which would so discourage and dismay the enemy's privateers that they would hardly know where or how to shelter themselves, besides if at any time the Generall or Chief Governour should find H.M. service would require his stay in any one of the Islands for the space of a month or longer, one of the said ships of warr in the meantime might be ordered to careene, by which means wee should allways have the said ships in good order to attend the enemy as well as to defend the Trade, and that those ships might be one of fifty guns to give countenance, the rest to be small ones and nimble saylors, tho' they were but such sloops as H.M. has lately ordered to be built, all this I offer as my humble opinion; without which the Islands can be never guarded or the inhabitants eased of the great fatigue and expence they are constantly at, but with all submission referr it to your Lordships' consideration. One John Bermingham, (an Irishman) commonly known by the name of Capt. Bermingham, who was in the late Generall Parke's time very often employ'd to go in Flags of Truce to the French Islands as well as in other services wherein he often behaved himselfe with a great deal of insolence to sundry of the inhabitants of these Islands, and has some time since joined with the subjects of the French King and landed on the Island of Berboda took of all the slaves belonging to Col. William Codrington as also the few whites he had thereon, the particulars I cannot informe your Lordships of till the return of

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a Flag of Truce which I have sent, and dayly expect back from Martinique, but whether she will returne time enough for me to accompany this letter with my further advices is uncertaine, H.M. immediate service requiring my going forthwith to Anguilla, and Spanish Towne having intelligence from the Deputy Governour of the first place (to whom I had given an account as I did to all the other Islands of this Government, as well as to that of Barbado's of the said Bermingham's desertion or turning rebell) that he had apprehended three spy's that were sent by said Bermingham in a boat to enquire and learn the strength of the place with the number of slaves they had upon the same as the spyes confest adding that the said Bermingham is now with two large privateers' sloops at St. Martin's as has there two hundred and odd men to surprize or attack them upon which I have resolved the moment the man of warr arrives which is hourly expected being to windward of the Island to imbarke and go to their reliefe which is another instance that the Islands cannot be served well by one ship, for had there been more on this station I might have been able the moment I had notice of this villaines designs to have gone to Leeward, and very probably surprized him which I am afraid will be now to late. The Deputy Governour of Spannish Towne advices me that they are inform'd the Spaniards designe to attack them with 500 men. If I have wrote a little too eager on this subject, I hope your Lordships will pardon me, and beleive its out of a sincere inclination I have for the service and the care of the people under my charge, if the packet boat should arrive before my returne your Lordships I hope will pardon me for not being more particular about Bermingham and may expect his whole transactions by the first opportunity after my return. P.S. *April 7th.* Since the foregoing I have had an express from Montserratt that they have intelligence by way of Martinique that the enemy have a designe to make an attempt upon that Island with 700 privateers who are commissioned for that purpose by their new Generall Monsieur Philipeaux and that that runagado Bermingham is to be one of the number, by which your Lordships will find me againe under the greatest difficulty immaginable which way to goe, however when the man of warr comes in, which I expect every minite, shall do my utmost to give releife to the place that most requires it, and withall would endeavour to assist them with some force from hence, but I perceive it impossible either to raise men or mony, there not being any fund in the Treasury of this place at present to discharge the same, and besides if there was I doubt I should find it a very difficult task to prevail with the people of this Island to advance for their neighbours, they alledging they are already considerably in disburse for them without any prospect of being repaid, the representatives of the other Islands neglecting to adjust their accounts, which I know to be fact, and without some directions from your Lordships on that matter requiring them to settle their publick accounts, I doubt the same will hardly ever be effected. Wherefore I humbly pray your Lordships will be pleased to give some speedy orders therein if you see fitt. There

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is one thing more I judge would prove for H.M. service, if your Lordships thinke it proper to be lay'd before H.M., which is the procuring a Generall pardon to be proclaim'd for all such Brittish or Irish subjects as have inlisted or entered themselves into the service of the French King, or the Duke of Anjou by the name of King of Spain, provided they do returne to their allegiance within such a time as your Lordships should thing proper, being informed that a great many of their privateers are such who are heartily weary of their service and would willingly returne if they could be secure of their pardon. *Signed*, W. Hamilton. *Endorsed*, Recd. 23rd, Read 27th, June, 1711. 12½ pp. [C.O. 152, 9. No. 70 ; and 153, 11. pp. 322-333.]

April 5—7. **783.** Lt. General Hamilton to [ ? Lord Dartmouth.] *Duplicate of preceding. Enclosed,*

783. i. Address of the General Council and Assembly of the Leeward Islands to Lt. General Hamilton. St. Johns, March 3, 1710 (11). Haveing taken your Honour's speech into our serious consideration as to that part relateing to the repair of our much neglected fortifications, magazeens, and stores of war throughout the several Islands, it is the humble opinion of both houses, that the best and most effectual methods for their speediest repair will be the properest consideration for the particular Legislatures of the respective Islands, but considering the extreame want wee are in of small armes, powder, flints, swords and other stores, the low state of our several Treasuries, and the impossibility of procuring a reasonable quantity of such stores here ; do find ourselves under the necessity of becoming humble suitors to her most sacred Majesty for a supply thereof. *Pray him to make application accordingly. Signed*, Antho. Ravell, Antho. Fox, Dan. Mackinen, Ralph Willett, Fran. Carlile, Ja. Watkins, William White, John Bramley, Wm. Parsey, Natha. Crump, Speaker, Ro. Cunynghame, Clemt. Crooke, John Duport, Jos. Crisp, Jo. Eleis, John Willett, James Milliken, Edw. Byam, Hen. Lyons, John Daly, Geo. Wyke. 1 p.

783. ii. Address of the General Council of the Leeward Islands to Lt. General Hamilton. St. Johns, March 14, 1710. Wee have seriously considered that part of your speech made to us at the opening of this sessions on Feb. 22, desiring us to enquire into the true reasons how the differences between Governor Parke and the inhabitants of this Island came to so unhappy a heighth as to occasion the death of H.E. and others. And tho' your Honour at the second meeting, which was on Feb. 24th, by our request issued a Proclamation requiring all persons who could give any evidence or testimony relateing to those affairs to appear before us on March 1st to be examined therein, and tho' wee did deferr entering into any consideration thereof for severall meetings in regard no

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witnesses appeared, and notwithstanding your Honour in conjunction with us sent a message in writing to the Members of the Generall Assembly desiring to know if they had anything to offer in that matter, yet no manner of witnesses or evidences did appear or were produced to us untill the 10th inst., at which time there onely appeared Dr. Gousse Bonnin, Lt. Richard Worthington, Sarah Collongs and Sergeant Bowes (notwithstanding the Members of the particular Councill of this Island as well as the others were summoned to appear) coppies of whose depositions are hereunto annexed. But wee do not conceive that the matters therein contained are sufficient to apprise us of the rise and beginnings of those unfortunate differences, so that we cannot advise your Honour what further steps to take in the premisses in order to make a more full and perfect discovery thereof, Your Honour as well as ourselves having already pursued all such measures as wee presumed would effectually have answered the same. Put wee are humbly of opinion that Her most sacred Majesty will upon the Representation which has been offerred home upon this occasion from the Lt. Governor and Councill of this Island, with the account of our owne proceedings hereon which wee humbly presume your Honour will likewise lay before H.M., be graciously pleased to direct your Honour what in Her royall wisdom she shall think most proper in so difficult a point, Till when wee beleive it most adviseable for your Honour to wait H.M. Royall pleasure in regard wee beleive the generality of the inhabitants were concerned therein except in the mean time a more expedient way may be offerred or found. And as wee must acknowledge your Honour's great care and concerne upon this occasion to find out the truth, so hope wee have discharged our duty to H.M., your Honour and our Country, *etc.* *Signed,* Jo. Eleis, John Willett, James Milliken, Edw. Byam, John Daly, Geo. Wyke. 1 large p.

783. iii. Interrogatories exhibited to (a) Gousse Bonin, Chyrurgeon, before the Lt. General and General Council of the Leeward Islands, March 10, 1710 (11). I saw H.E. carried out to the house where he died, and tarried there with him until he was dead. *Q.* After he was brought out of the house where he was wounded did you see any person drag him through the streets, as has been reported? *A.* I did not. (b) Lt. Richard Worthington. I had no command from H.E. for what I did at Mr. Chester's. I was wounded myself and am no witness of what became of H.E. after he was wounded. *Q.* What reasons had you for writing a letter to Mr. Ayon that some persons had designes to murder him? *A.* I mett with one Johnson late servant to Mr. Ayon, who told me on Wedn., Feb. 28, that Mr. Ayon was to be murdered

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that night. I immediately sent him word, because I thought it might be fact, by reason that a few nights before I was attacked by eight or ten persons all in white jacketts below Mr. Denbow's door, upon which I laid my hand to my sword and made a stand at which time some of them said it was not he, meaning as I did suppose Mr. Ayon, we both of us being much together that day, and both in black cloths. 1 *large p.*

783. iv. (a) Deposition of Sarah Collongs, St. Johns, March 10, 1710 (11). On Dec. 7 deponent with Sarah Pelham did wash and shroud the corps of H.E. at the house of Mr. John Wrights in St. Johns. He was in no way bruised or wounded in his body or any of his limbs, but by a shott in one of his thighs. Deponent saw him attended at Mr. Wright's house by Dr. Gousse Bonin. He was very uneasy and tumbled himself to and fro after the Doctor had put some tow into the wound to stopp the bleeding. He asked the doctor if he could stopp the blood, who answered that he could if he would be ruled and would not tumble so much. Notwithstanding, H.E. continued to turne himselfe to and fro in the bed, with which the wound bled afresh, and in a very little time he expired, haveing before complained very much of his back, but tho' deponent actually washed his back and shrouded his corps she saw no manner of wound or bruise there or in any other part saving that in his thigh. *Signed*, Sarah Collongs, her marke.

(b) Deposition of Charles Bowes, St. Johns, March 10, 1710 (11). Sergeant in Col. Jones Regiment, deponent for 3 years past was for the most part on duty upon the guard of H.E., who often told him and severall soldiers belonging to the guard, that if they would beat and insult any of the Gent. of the country, he would as an encouragement give them a pistole apeece for everyone they should so beat and insult, and that he would give a good reward to any of them that would well thrash Capt. Edward Perrie and Mr. Stureman, and protect them from punishment. Deponent heard H.E. frequently tell the soldiers that if he had but some companys which he knew in Flanders he would soon drive halfe the planters in the Island, and that they were cowards for not beating the planters, which he had so often ordered them to do. H.E. sent for him the night of Dec. 6th, and told him that he heard the Protestants had a beef which was tyed in Patrick West's yard, and that if Deponent with some of his soldiers would go and take away said beef, he would give him 5 pistoles and to every soldier that should assist him in doing it, two pistoles a peece. Deponent answered he would goe and try. in some small time after Mr. Michael Ayon and Lt. Worthington came up to the guard, where deponent acquainted Worthing-

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ton what had passed between him and H.E., saying he beleived it was impossible to do it. Worthington answered that he would rather then anything but that it should be done, because he knew it was the Generall's desire, and that if he thought anyone of the soldiers then present would refuse to assist in takeing the beef, or offer to discover the same, he would immediately run his sword through his gutts, whereupon the soldiers presently went and searched the Towne till they found said beef. Deponent beleives, if Worthington had not been there, the beef would not have been taken away. H.E. next morning told deponent that if he, or any of them that were with him, should be examined about takeing the beef, they must swear they took it from negroes in the street. *Signed*, Charles Bowes. *The whole 1 large p.* [C.O. 152, 42. Nos. 59, 55, 21, 22, 23.]

April 5. **784.** Lord Dartmouth to the Council of Trade and Whitehall. Plantations. *Encloses* following for their report thereon tomorrow. *Signed*, Dartmouth. *Endorsed*, Reed. Read April 6th, 1711.  $\frac{3}{4}$  p. *Enclosed*,

784. i. Governor Walter Douglass to Lord Dartmouth. Petitioner doubts his Commission and Instructions can be dispatched time enough to embarke with ye convoy now at Portsmouth, which will sail with ye first fair wind. There being a third ship added to the usual convoy to that trade, he proposes that part of the convoy may be stayed for him, *etc.* 1 p. [C.O. 152, 9. Nos. 53, 53 i.; and 153, 11. pp. 181-183.]

April 6. **785.** Council of Trade and Plantations to Lord Dartmouth. *Reply to preceding.* Mr. Douglas' Instructions will be sent to your Lordship to-morrow morning, being all that is to be dispatched by us. *Autograph signatures.* 1 p. [C.O. 5, 4. No. 2; and 153, 11. p. 184.]

April 6. **786.** Same to same. We herewith transmit the draught of Whitehal. Mr. Douglas' Instructions, which are to the same purpose as those that were given to Col. Parke; and have only to observe that there wants one Councillor for Nevis, two for Antego, two for Mountserrat and one for St. Christophers, to supply which vacancies no persons, of whose qualifications we are sufficiently inform'd having been as yet recommended to us, we therefore submit it to H.M. whether it may not be convenient, that the said vacancies be kept open till Major Douglas upon his arrival at his Government shal pursuant to his Instructions in that behalf, send over the names of such persons as he shal judge fitly qualify'd. *etc.* *Annexed*,

786. i. H.M. Instructions for Walter Douglas Governor of the Leeward Islands.

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786. ii. H.M. Instructions to the same, relating to the Acts of Trade and Navigation. [*C.O.* 153, 11. *pp.* 184-272.]

April 6.  
Admiralty  
Office.

**787.** Mr. Burchett to Mr. Popple. I have read to the Lords Commissioners of the Admiralty your letter of March 24 together with the proposal of Mr. Polhampton (March 5). Their Lordships will give the strictest orders to the Capts. of the Queen's ships that they do not at their perril doe anything which may prejudice H.M. in the manner Mr. Polhampton represents; and will recommend it to the Governours of those places whereon the ships attend, to send them to cruiz as he hath proposed in the winter season. What I have more to add is, that Mr. Polhampton was not willing to accuse any particular officer of the abuses mentioned in his generall representation. *Signed*, J. Burchett. *Endorsed*, Recd. 7th, Read 9th April, 1711. *Addressed*. 1 *p.* [*C.O.* 5, 1050. *No.* 17; and 5, 1122. *pp.* 321, 322.]

April 7.

**788.** Merchants and estate owners of Antegoa to the Council of Trade and Plantations. Recommend Richard Lightfoot of East Greensted, who has a considerable estate there and also in Antegoa, for the Council of that Island. *Signed*, Robert Chester, Rowld. Tryon, Saml. Ball, Wm. Parrott, T. Forster, Ed. Warner, Nath. Carpenter, James Field, Sam. Richards, John Travers, Wm. Johnson. *Endorsed*, Recd. Read April 12, 1711. 1 *p.* [*C.O.* 152, 9. *No.* 59.]

April 7.  
St. James's.

**789.** H.M. Commission to William Tayler to be Lt. Governor of the Massachusetts Bay. *Countersigned*, Dartmouth. [*C.O.* 324, 32. *pp.* 68, 69.]

April 7.  
Whitehall.

**790.** Lord Dartmouth to Governor Douglas. There being at present one Councillour wanting for Nevis, two for Antegoa, two for Mountserratt, and one for St. Christophers, upon your arrival at your Government you are to send over the names of such persons as you shall judge fitly qualified to serve as members of the said respective Councils that I may lay them before H.M. and receive her directions therein. *Signed*, Dartmouth. [*C.O.* 324, 32. *p.* 69.]

April 10.  
Whitehal.

**791.** Council of Trade and Plantations to Governor Douglas. Besides what is contain'd in H.M. Instructions to you, there are several other particulars relating to your Government, which we think ourselves obliged to take notice of to you, (*vizt.*), Whereas Laws passed in H.M. Leeward Charibbee Islands (as in other H.M. Dominions in America) have before the publication thereof been usually sign'd or underwritten by the Capt. Genl. or Commander in Chief, and the Speaker of the General Assembly respectively, testifying their respective assents given to such laws, and whereas it hath been represented to H.M. that the Genl. Assembly of the Island of Antego do pretend and insist that all laws after they have pass'd the Legislature there ought to be sign'd or underwritten by the Capt. Genl. or Commander in Chief (to testify his

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assent to such laws as aforesaid) before the same are sign'd or underwritten by the Speaker of the Genl. Assembly for the like purpose, whereby they do pretend to reserve to the discretion of their Speaker the last act to be done in relation to the passing of bills and in so doing wou'd assume a power of giving sanction to all laws pass'd and publish'd in the said Island, in derogation of H.M. undoubted prerogative, and tending to frustrate Her intention in giving a negative voice by Her Commission to the Capt. Genl. or Commander in Chief, the true meaning whereof is that the ultimate power of passing or rejecting all laws there, shal reside in the said Capt. General or Commander in Chief, which power no Assembly in any other of H.M. Dominions has at any time attempted to elude by such pretended privileges as aforesaid or in any other manner to dispute ; You are therefore to forbear to sign or underwrite any law to be hereafter pass'd in the said Islands testifying your having given your assent thereto until such law shal have been first sign'd or underwritten by the Speaker of the Genl. Assembly to show that they have passed or agreed to the same. And you are to give directions to the Lieut. General and Lieut. Governors of each respective Island to take the like care herein. The foregoing state of the dispute which happen'd between your predecessor and the Genl. Assembly of that Island in relation to their signing laws past there, and the directions we have given you for your better guidance in that matter are such as we have been able to collect and frame from ye accounts thereof sent us by Col. Parke ; but in regard the same are not so full and clear as they ought to have been, we shal therefore expect that when you have informed yourself of the grounds and nature of that dispute, you do with the first opportunity acquaint us therewith, particularly whether all laws having pass'd the Legislature, that is ye assent of the Govr., Council and Assembly of that Island, are not to all intents and purposes good laws, and may be publish'd as such notwithstanding the same be not sign'd by the Govr. and Speaker of ye Assembly, them or either of them, and if so, then of what use is such signing, or to what purpose does the same operate, that is if it be necessary, or a matter of form only. Several persons having been recommended to us to be members of H.M. respective Councils in Nevis, Antego and St. Christophers, we send you here inclosed a list of their names, that you may upon your arrival in those Islands enquire into their characters and qualifications whether they be men of estates and well affected to H.M. Government, weh. having done you will transmit an account thereof to us by the first opportunity pursuant to your Instructions in that behalf and the names of such other persons as you may think fitly qualify'd to serve H.M. in her respective Councils there, that we may lay the same before H.M. from time to time to fill up any vacancies that may happen in the said Councils. Two Acts having been passed at Nevis, the one on Feb. 23, 1703 *for the establishing of Courts in Nevis*, etc., the other June 22, 1705, at a General Assembly of all the Leeward Islands at Nevis *for establishing Courts, etc. throughout all the Leeward Islands ; enclose copies of Representation Dec. 23, 1708*

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*and Order in Council Dec. 30, 1708, repealing same*, for your information, and that you may move the next General Assembly of all the Leeward Islands to pass a new Law (if the same be not already done) *for establishing Courts*, etc. not lyable to the same objections as those aforementioned. Whereas the business of the Plantations frequently suffer delays for want of proper persons appointed to reside here on the part of each respective Government who may be ready at any time to sollicite the dispatch of business in the respective offices where the same may be depending, you will therefore do well upon your arrival by and with ye advice of ye respective Councils to appoint a proper person or persons for that purpose, and endeavour to get a suitable and reasonable salary to be settled upon such person by the Assembly for his care and trouble in the service of the said Islands under your Government. [*C.O.* 153, 11. *pp.* 273–277.]

April 10. **792.** Order of Queen in Council. Approving drafts of  
St. James's. Instructions to Governor Douglas, *etc.* *Signed*, Christo. Musgrave.  
*Endorsed*, Recd. 11th, Read 12th April, 1711.  $\frac{3}{4}$  *p.* [*C.O.* 152,  
9. *No.* 55 ; and 5, 11. *No.* 63 ; and 153, 11. *pp.* 278, 279.]

April 10. **793.** Order of Queen in Council. Approving Representation  
St. James's. of April 6th (*q.v.*) relating to vacancies in the Councils of the  
Leeward Islands, and ordering accordingly. *Signed and en-*  
*dorsed as preceding.*  $\frac{3}{4}$  *p.* [*C.O.* 152, 9. *No.* 56 ; and 153, 11.  
*pp.* 279, 280 ; and 5, 11. *No.* 62.]

April 10. **794.** Order of Queen in Council. Approving additional  
St. James's. Instructions to Governor Douglas, relating to the disorders at  
Antegoa, and ordering that it be converted into a Commission as  
proposed April 4th. *Signed and endorsed as preceding.* 1 *p.*  
[*C.O.* 152, 9. *No.* 57 ; and 153, 11. *pp.* 280, 281.]

April 10. **795.** Order of Queen in Council. Ordering that the Lord  
St. James's. Dartmouth do cause the two following Heads of further Instruc-  
tions to Governor Douglas to be prepared for H.M. signature ;  
(1) That besides the six or three persons directed by ye Governor's  
Commission to be tryed, the Governor have liberty to try any  
such others, who shall not surrender themselves according to the  
Proclamation to be issued, as they shalbe apprehended, as the  
Governor shall think fit. (2) That in case any person shalbe  
thought fit to be sent over into England to be tryed for ye said  
offences, care be taken to give ye party accused due notice for  
getting his witnesses ready to attend his tryal here, as also to see  
that witnesses be likewise sent over in H.M. behalf. *Signed and*  
*endorsed as preceding.*  $\frac{3}{4}$  *p.* [*C.O.* 152, 9. *No.* 58 ; and 5, 11.  
*No.* 61 ; and 153, 11. *pp.* 281, 282.]

April 10. **796.** Council of Trade and Plantations to the Queen. *Re-*  
Whitehall. commend Samuel Barwick to be a member of the Council of  
Barbados (*v.* March 24), in case there be a vacancy, as alledged,

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whereof nevertheless we have as yet had no advice from Mr. Lillington, *etc.* [*C.O.* 29, 12. *pp.* 342, 343.]

April 10. **797.** Order of Queen in Council. Appointing S. Barwick, *as*  
St. James's. *in preceding.* Signed, Christo. Musgrave. Endorsed, Reed. 12th,  
Read 15th May, 1711. 1 *p.* [*C.O.* 28, 13. *No.* 58; and 5, 11.  
*No.* 60; and 29, 12. *pp.* 347-349.]

April 10. **798.** Council of Trade and Plantations to Governor Hunter.  
Whitehall. We herewith inclose to you a copy of Mr. Polhampton's memorial  
(*v.* March 5), and Mr. Burchett's letter, April 6th, not doubting  
but you have already taken care to put a stop to such abuses and  
mismanagements, and that you will continue to prevent the like  
for the future. [*C.O.* 5, 1122. *pp.* 323, 324.]

April 11. **799.** Certificate from the Remembrance Office that security  
for £2000 has been given on behalf of Charles Craven (*v.* Feb. 22).  
Signed, Fra. Butler. Endorsed, Reed. 11th, Read 13th April,  
1711.  $\frac{1}{4}$  *p.* [*C.O.* 5, 1264. *No.* 114; and 5, 1292. *p.* 272.]

April 11. **800.** H.M. Warrant for affixing the Great Seal to Governor  
St. James's. Douglas' Commission (*v.* April 1st). 1 *p.* Enclosed,  
800. i. Duplicate of *No.* 770 i. [*C.O.* 152, 42. *Nos.* 58, 60.]

[April 12.] **801.** Capt. Walton to the Council of Trade and Plantations.  
Upon considering the objections (*to the settlement of the Virgin Islands*), which Mr. Popple acquainted him was made to your Lordships, he humbly conceiv's they can have no weight. For how inconsistent is it to beleive that the inhabitants of the Leeward Islands shou'd quit the settlements they have made, to go and make others amongst the Virgins. And as for any that have represented them as useless rocks, recourse to the draught before your Lordships will evince the contrary. Another no less efficacious then the foregoing says that they wou'd be a harbour in time of peace for the bucaniers; he always, (with submission) conceived that it was for want of a Government's being settled, that they have hitherto used them. And the last plainly demonstrates, that they know nothing of the present circumstances of those Islands, for as to the Spaniards, there hath not one appeared for these many years last past, besides Spanish Town (as it now is) need not fear all the power they have in those parts, and might easily be made almost impregnable, the rest might be supported under it. Upon the whole, he hopes it will appear that what he hath offered must be a support and defence to the Leeward Islands, rather then any subduction from them. For the people drawn thither will not be them that are settled on the Leeward Islands, but (if any come thence) it must be those that are a weight and charge to them, therefore if any from a supposition that their private property may be impeded by a cultivation and improving of the Virgins, he may fully depend your Lordships will not encourage what shall not only obstruct the enlargement

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of trade, but be a prevention even to piracy and clandestine trade. *Prays*, in consideration of his expences, services and knowledge in those parts (besides loosing a company of Foot by serving there, upon the Generall's assurance that he shou'd have the same sallary as the other Lieut. Governors had), that he shall have your Honours' recommendation for the Government, or for having a pattent constituting him Proprietor for 30 years renewable at an easy quitt-rent; either of which ways those Islands might be made in a few years, as advantagious to the Crown as the Leeward Islands are now. *Endorsed*, Recd. 12th, Read 13th April, 1711.  $1\frac{1}{4}$  pp. [*C.O.* 152, 9. No. 60.]

April 12.  
Whitehall.

**802.** Lord Dartmouth to Governor Douglas. H.M. commands me to acquaint you that it is absolutely necessary for her service you should go to your Government as soon as possible; when I have told you this and that your powers and instructions are already finished, I am sure I need not add any other motives to incline you to use all imaginable diligence in transporting yourself thither. *Signed*, Dartmouth. [*C.O.* 324, 32. p. 70.]

April 13.  
Whitehal.

**803.** Council of Trade and Plantations to the Queen. We having receiv'd a certificate that the Lord Craven hath enter'd into a bond for Charles Craven's due observance of the Acts of Trade, (v. Ap. 11), we humbly lay before your Majesty the draught of Instructions for your Majesty's Royal signature to the Lords Proprietors of Carolina, relating to the said Acts, being to the like effect as those that have been usually given to them and to all other Proprietors of Plantations on the like occasion. *Annexed*,

803. i. Instructions to the Lords Proprietors of Carolina relating to the Laws of Trade and Navigation. St. James's, March 10, 17 $1\frac{1}{2}$ . [*C.O.* 5, 1292. pp. 273-307.]

April 13.  
Whitehall.

**804.** Council of Trade and Plantations to Lt. Governor Spotswood. *Enclose* Orders in Council of March 24 and April 17, 1707, relating to seating and planting of lands, with reasons for repeal of Act 1666, *etc.* (v. Feb. 22). [*C.O.* 5, 1363. pp. 270-273; and (rough draft) 5, 1335. pp. 110-114.]

April 13.  
Whitehal.

**805.** Council of Trade and Plantations to Lord Dartmouth. *Refer* to letter of April 6th, and *forward* recommendation of Mr. Lightfoot (April 7th) to be a member of the Council of Antegoa. "We have no objection thereto." [*C.O.* 153, 11. pp. 282, 283.]

April 13.  
St. James's.

**806.** H.M. Additional Instructions to Governor Douglas, relating to the trial of those concerned in the late rebellion at Antegoa, as ordered No. 795, *q.v.* *Signed*, A.R. *Endorsed*, Recd. 14th, Read 15th May, 1711.  $1\frac{1}{4}$  pp. [*C.O.* 152, 9. No. 68; and 153, 11. pp. 310, 311; and 324, 32. pp. 70, 71.]

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April 14.  
On board the  
*Defiance*,  
Spithead.

**807.** Lord A. Hamilton to [? *Lord Dartmouth*.] I am honoured with the Queen's commands signified to me by your Lop's. letter of the 10th instant, and will upon our arrival at Jamaica, endeavour to execute them with the care and despatch that my duty to H.M., the regard I have to your Lordship's recommendation, and the melancholly circumstances of those prisoners at Lima do jointly require. *Signed*, A. Hamilton. 1 p. [*C.O.* 137, 51. *No.* 38.]

April 14.  
Barbadoes.

**808.** G. Lillington to Mr. Popple. *Acknowledges* letter of Feb. 19. The Assembly some time since pass'd a leavy bill, wch. being sent up to the Councill they thought fit to make an amendment and lessen the sum on the Town, wch. has not been as yet laid before the Assembly, they being very backward in making an house, but if they had, I'm afraid would not have agreed thereto, that house expiring the 18th. I shall issue writts immediately thereon for calling another, at the opening of wch. I hope and desire our expected Governor will be present. I am proud that I have so little to trouble their Idps. with in relation to this Governmt., *etc.* *Signed*, G. Lillington. *Endorsed*, Reed. 25, Read 27 June, 1711. *Addressed*. 1 p. [*C.O.* 28, 13. *No.* 60; and 29, 12. pp. 352, 353.]

April 14.  
Barbados.

**809.** Andrew Boulton to the Council of Trade and Plantations. The greatest Princes have in all ages thought it their glory to be avengers of blood, when the common courses of the Law have been insufficient, *etc.* The successours of Alexander afford many instances how Crowns have been the reward of such exemplary justice, and if mankind were not frighted from such villainies by an uncommon load of infamy, and the certain resentment of all mankind, few Princes, and I am afraid much fewer first Ministers would live out half their dayes but some desperado or giddy mobb would Felton d' Witt or Parke them for performing the dutys of their high function which may not be agreeable to their palate, *etc.* I have therefore took the liberty to trouble your Lordship with an account of the murther of my friend General Parke, *etc.* To attack and murther their chief magistrate and his friends, that were with him, and the soldiers that were in her immediate service, who were actually under her colours, and to revile him after he was mortally wounded is treatment few but the Grandfather of their Royal Mistress have among the English had the misfortune to meet withall. None ever revered the memory of that Prince more than Col. Parke, *etc.* It was his frequent dissolving their Assemblys on their obstinate resolving to wrest from H.M. that essential part of her prerogative that set their blood into such a ferment, that nothing but the letting out of his could cure. A sort of an Ordinance they have pass'd, not to have their murther talked of, is in effect making for themselves an act of indemnity and oblivion, But 'tis well they continue not their strain of balads, and sing the murther they so long threatned, and which in the dark they so frequently attempted. And how heroically they used the General when they had mortally

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wounded him, broke his back-bone with their musketts, stripp't him and dragged him by the heels about the streets when but half dead, denying him water, and insulting him in the agonies of death, exposing the secrets of nature and refusing him buryal. Nay my Lord, they have gone yet further, they have signed a paper to justify the action, and owned themselves guilty, and wou'd kindly have suffered the other Islands to have shared the glory, on the easy terms of approving their proceedings. But the eyes of all the Colonys are on their Mother Kingdom, and how she will punish such an outrage. 'Tis certain, my Lord, the majority of Antigua have drank so deep of this gentleman's blood, they will find no person guilty of tasting it, and the most solemn tryal there will be but eluding justice. And I am not lawyer enough to know how practicable it may be make a Lord High Constable, and send for the ring-leaders and try them in England, on this extraordinary occasion. Your Lordship will forgive my presumption if I humbly propose what my experience of the people makes appear to me the most likely way of punishing them, and frighten the other Colonys from insulting H.M. in the person of Her Chief Officer. 'Twil be my Lord to punish them on the side of their pride which is their darling vice, by excluding them all places of honour and profit in the Government, particular, by making all that appeared in that riot on the oath of two witnesses to be forever incapable of any post civil or military, or of being members of the Council or Assembly, or officers of the Militia. And as the name of a Parliamt. is very awful to them, if a short Act was passed to that purpose with a suitable preamble it would effectually terrify them and learn them submission. To which if the General had instructions for some time to reside at St. Christophers, it would further mortify and punish them. To which may be added the changing the Regiment there for another, the present regiment being unfortunately divided by the faction. And the Colo. a mortal enemy to the late General, between whom there ought to be the strictest correspondence and perfect harmony, which some particular instructions about, might considerably forward and improve. For nothing at this time especially less than a power that can put the laws in execution will subject them to them. They are by their clime and nature haughty and whenever their Governours shall displease them they will not fail to remind them how they have handled their predecessors, and what they dare do when they shall think themselves opprest. In the Island of St. Christophers, he that basely murdered Col. Johnson, Commander in Chief before Col. Parke was cleared by a jury, is since chose a Representative and lives there in splendour, and your Lordship sees to how much a more exalted pitch of wickedness they are arrived to in Antigua, and how indifferently H.M. must be served, if the sword of justice is so far from being able to punish criminals it cannot defend itself. Col. Hamilton summoned a General Assembly to meet at Antigua, but they refused to come, and some plainly return'd as an answer they would not come to an island where the people would perhaps murder them if they contradicted or disagreed with their pro-

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ceedings. So immediate a remedy seems to be required for these raging evils. And so great occasion is there for finding out a Governour whose capacity is equal to the present calamitys, who has spirit enough to administer whatsoever remedy shall be applyed to this dangerous distemper, and at the same time who is acquainted with their constitutions and temper, and knows where to apply such lenatives as may heal their breaches, recover their reputation by reconciling 'em to one another, and beget that reverence in them, which always accompanys virtue in authority. Yet that alone will not do without the protection of your Lordships tho I dare prophecy the Islands will never be happy, nor H.M. well served till a Governour shall want no patrons at Court, but a perfect integrity, *etc.* I can't help here observing that the method of taking depositions against Col. Parke, as directed by my Lord Sunderland's letter, brought his, and will bring any Government into contempt. The summoning and inviting common people to say and swear a hundred idle storys that lye before your Lordships, many of which seem calculated only to cause laughter, exposing his authority and Hers he represented beyond all imagination. And if H.M. own Order had not been the pretence that impowred them to ridicule her authority and affront him to his face on the Bench the awe of him at least under H.M. ensigns, would probably have kept him sacred. 'Twas these ridiculous storys below the dignity of a Governour to bear, and against nature to hear, that made him desire me to be his Deputy to hear the depositions against him, and take those for him, which occasioned me to make those frequent speeches that are among his papers before your Lordships, and at least to draw his defence for him, the depositions on both sides having gone wholly through my hands, which laid me under a sort of necessity at least a point of honour in laying these things before your Lordships. I should have acted but a mean part to have been frightened by his murder from putting the last hand to his justification. And I cant but think myself unhappy that a sickness this fatigue brought on me forced me off the Island just before this happned. For tho' Col. Parke was too sanguine, and apt to dispise them, he having left the managment. to me, during the taking the depositions, and I having been so happy as to free him out of several intricacies, he would probably have took my advice, which would have been, when they formed a Proclamation and summoned one another to meet to force him off the Island, and sent a message to him with their resolution, to have pretended a compliance and seemed to form a treaty, during the management thereof to have slipt to Monks Hill or Mountserat, which might have saved his life, and the lives of those poor innocent souls who on their knees begged for quarter in vain, and were murdered for standing guard to their General when they were too few to defend him. I must beg the liberty to add for myself, that I having formerly paid the troops there; and laid out about £10,000, which the suddain disbanding Col. Fox's Regiment, and the destruction of Nevis St. Christophers made me loke to lose, and being well acquainted

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with Col. Parke in England ; and he having directions from home to give me any civil or military vacancy that should happen in his Government, he gave me a Company in Col. Jones' regiment Jan. 6, 1709. However, none of the Commissions given by him have been confirmed, a mortification few other Governours or of his predecessors have been used to. And if my defence of him in the answer to his Articles make him appear a good tho' unfortunate Governour and a dutyfull servant to H.M., and that he lost his life in so uncommon a manner for maintaining the dignity of his mistress, your Lordships may think it not unworthy your charecters to appear ye protector of one that suffers on the same side ; altho' I have not the honour of being known to your Lordships. And if it appears difficult to right me in this particular, and that the later Commission shall be thought to supercede the first, tho' that is by vertue of a great Seal from H.M., yet your Lordships may find out an equivalent. Newfoundland Carolina, as they are but ordinary Governments, and but indifferently healthy, very few in any degree qualified for them will accept them, and as such infant and unsettled Colonys want in an especial manner some person of experience and understanding who knows something of mankind, the interest of the Plantations, what improvmt. they are capable of by their soil or scituation, and what relation their whole traffick and produce has or may have to their Mother Kingdom, and who is not unacquainted with their temper which must be kept easy, since their tranquility increases the treasure of England, and which restraining them from lycenciousness will soon bring them to, if it appears by any of the papers before your Lordships that I have had woful occasion from the differences at Antigua to learn any of these lessons, as I have been at almost all H.M. Plantations, I have made what observations I was capable of in Her interest, so I assure your Lordships I should with a double care endeavour to desirve Her favour. *Desires their Lordships' recommendation etc. Encloses* Some reasons for keeping St. Christophers. *Signed,* Reed. 15th, Read 18th June, 1711. 8 pp. [C.O. 5, 865. No. 65.]

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Boston.

**810.** Similar letter to the Lord Dartmouth. *Enclosed,*

810. i. Reasons for insisting on the keeping the whole Island of St. Christophers on a General Peace. (1) Altho' it was restored to the French by the Treaty of Reswick, the warr broke out so soon they had not resettled it. So that they having of late years made little or no advantage of it, it is not likely they will insist much on the restitution of it. (2) Brimstone Hill being the only place in the Leeward Islands capable of being made really strong without a prodigious expence and a stronger garrison than any of those Islands can furnish, and that being capable of being made impregnable because unaccessable with an inconsiderable charge, and of being defended with a few hands. When settled entirely by us 'twill be a considerable strength to all the Leeward Islands, and be capable of making such a stand, that

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they will defy any attempts of the French to dispossess us, which they are too able to do, whenever they shall incline to, or receive positive orders for from France, we owing our security in my opinion to its being the interest of the privateers with which Martinico is settled rather to molest our trade, and take our shipping, than by destroying us to put themselves out of employment. (3) The surrendering their part of the Island hinders our well settling our own part, negros running away from their masters to the French in crop time, where its long before they are found or restored often spoils a crop, and they are frequently conveyed to some other of their islands, and are never found, which both discourages the Planters, makes them afraid to buy new negros for fear of loosing them ; prevents the improvement of the Island, and is a proportionable damage to H.M. in her Revenue, and the trade of Her people. (4) The French being on the same Island 'twil be impossible to prevent such a clandestine prohibited trade as will be very detrimental to England, the consumption of the French wines will be considerable by reason of their cheapness when they avoid paying customs, and will sink the exeise by drinking little or no mault drink or cyder, which comes now in great quantitys from Bristol and elsewhere, and are sold in bottles at a high rate, but will be no longer used when French wine can be bought at a lower price, and 'tis not the Leeward Islands only, but all the Colonys that will be from thence furnished with it : the same must be observed as well in relation to all French silks, stuffs, lutestrings, linnings, and whatsoever is of the manufacture of France to the utter ruin of all English commoditys of a like nature, and of the fair Trader, and will proportionably add to the wealth of France. (5) Barbados is already so worn out, and her soil so impoverisht, and therefore the charge of making sugars there so great, the French and Dutch who have new ground continually to work on, will undersell us in all ye markets of Europe. Whereas St. Christophers being the richest ground in the known world for its bigness will enable us to undersell them, at least to prevent their underselling us, till the West India affairs be so far looked into that its commoditys be made as totally English, as the Dutch have made spice theirs in the East Indies, and which much easier may be accomplished if attempted before it is too late. (6) It will encrease the Customs near £60,000 annually, the Island qt. near 30,000 plantable acres, of which 15,000 will soon be planted and will probably one acre with another produce 2 hhds. of 1000 lb. weight each when in London, which at about 3s. 6*l*. a hundred custome in London with the 4½ p.c. duty will amount to thereabouts. But as the whole produce is the effect of labour, it costs nothing but

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manufacturing and navigating, so the whole is profit, and so much clear gain to be annually added to the Capital Stock of England, which at 30s. a hundred, which is the price of a medium, is £450,000, a prodigious sum for such a spott, *etc.* I have purposely made an undercalculation both as to the quantity of plantable ground, and its produce, and have reckoned nothing for ginger or indigo, *etc.*, or rum and molasses, with which they pay commoditys brought them from the Continent. Which is the trade the Northern Colonys live by, and which enables them to pay for the English manufactures they would else be too poor to purchase and must otherwise wholly manufacture for themselves; and which is no inconsiderable branch of our trade. *Endorsed*, Recd. (with duplicate of a letter from Mr. Bolt, dated at Boston April 14, 1711) July 11th, Read Aug. 1st, 1711. 2 $\frac{1}{4}$  pp. [*C.O.* 152, 42. Nos. 45, 45 i.; and (*enclosure only*) 152, 9. No. 74; and 153, 11. pp. 351-354.]

April 14. **811.** H.M. Warrant to Governor Lowther for restoring  
St. James's. Samuel Berwick to the Council of Barbados. *Countersigned*,  
Dartmouth. [*C.O.* 324, 32. pp. 71, 72.]

April 14. **812.** Lord Dartmouth to Lt. Gov. Spotswood. I send you  
Whitehall. enclosed an Order of Council for regulating the method of granting  
lands in the Colony of Virginia, *etc.* H.M. is graciously pleased to  
allow and permitt that the Instruction therein recited be passed  
into a law. *Signed*, Dartmouth. *Annexed*,

812. i. Copy of Order in Council, March 24, *q.v.* [*C.O.* 324, 32.  
pp. 80-82.]

April 17. **813.** Council of Trade and Plantations to Lord Dartmouth.  
Whitehal. *Enclose following.*

813. i. Council of Trade and Plantations to the Queen. Representation upon Capt. Walton's petition relating to the Virgin Islands. (*v.* Jan. 15 *etc.*) The said Islands lying between your Majesty's Leeward Islands and Porto Rico, are part of the Government of the said Leeward Islands, (except the Island of St. Thomas which has been for some time in possession of the King of Denmark) and accordingly the Governor of the said Leeward Islands is by his Instructions requir'd to assert your Majesty's undoubted right of Sovereignty in and over all the said Virgin Islands, under his Government, and to prevent the subjects of any foreign Prince or State whatsoever from settling in any of them. The Petitioner alledges that the said Islands, particularly Spanish Town, are capable of producing whatsoever is of the growth of any of your Majesty's Southern Colonies and that the situation of the Virgin Islands is such, as may give the inhabitants great opportunities and encouragement to carry on the illegal trade, if not prevented. The

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Petitioner in proof of his having been Lieut. Govr. of the said Islands has produc'd to us his Commissn. for that purpose, sign'd by Daniel Parke Esq. your Majesty's then Governor of the Leeward Islands, and dated Sept. 11th, 1707, and says he continued in that Government till abt. August 1709 ; but whether he has receiv'd any salary or other gratification for his service during that time, we are not able to inform your Majesty otherwise than that he affirms he never receiv'd any. We have likewise been attended by other persons that have been at the said Virgin Islands, who inform us, that only Spanish Town, one of the said Islands, has a good harbour, and that they believ'd the soil of that Island is good ; that most of the rest of those Islands are little better than rocks ; that if there were a settlement made on the said Islands, unless the same were secur'd by a fortification and a company of soldiers at least, the inhabitants wou'd be liable to be plunder'd and insulted by the French and Spaniards from Hispaniola and Porto Rico ; that if such settlemt. was so secur'd as aforesaid those Islands wou'd nevertheless be a shelter for pirats and buccaniers ; and that it wou'd be difficult without maintaining ships of war there, to prevent illegal trade between the inhabitants that shou'd be settled there, and the Island of St. Thomas, and that there being but very few people upon the Virgin Islands, if a settlemt. were made there it wou'd occasion the running away of servants and others from your Majesty's Leeward Islands to the great prejudice of the said Islands. This being the best information we have been able to get (no good account relating to the Virgin Islands having been transmitted to us from the Government of the Leeward Islands) we are of opinion that your Majesty's pleasure be signify'd to Governor Douglas upon his arrival, to lay this matter before the respective Councils of the Leeward Islands for their consideration, and thereupon to transmit to one of your Majesty's Principal Secretaries of State, and to the Commissioners of Trade and Plantations their opinion. whether it may be adviseable to make any settlement on the said Virgin Islands as propos'd, and that at the same time he send a particular account of the present state and condition of the said Virgin Islands, with respect to the soil, productions and conveniencies thereof for trade, as likewise to the numbers and condition of your Majesty's subjects inhabiting there ; that your Majesty may then declare your further pleasure thereupon ; and that in the meantime the Governor be directed to take care strictly to observe his Instructions for asserting your Majesty's right of sovereignty in and over the said Virgin Islands, and for preventing the subjects of any foreign Prince or State from settling in any of them (except the Island

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of St. Thomas) in such manner as in and by the said Instructions is directed. [*C.O.* 153, 11. *pp.* 285-289 ; and (*autograph signatures*) 314, 1. *Nos.* 1, 1 i.]

[April 17.] **814.** (1) Edward Buncombe to Governor Parke. Petition for compensation (*v.* March 24). *Copy.* 1 *p.*

(2) Copy of Governor Parke's order for appraisement of Mr. Buncombe's losses. *Signed*, Daniel Parke. Aug. 17, 1709. *Copy.* 1 *p.*

(3) Appraisement of Mr. Buncombe's losses. Total : £1330 11s. 6d. *Signed*, Barth. Rees, Jno. Bramley, Geo. Milward. Aug. 29, 1709. *Copy.*  $\frac{3}{4}$  *p.*

(4) Petition of Edward Buncombe to Governor Parke and the General Council and Assembly met at St. Christophers, with their opinion that reparation ought to be granted. (*v.* March 24). March 30, 1710. *Copy.* 2 *pp.*

(5) Affidavit by Jno. Buncombe that above copies are genuine, and that satisfaction has been made to others in the Leeward Islands who have been similarly plundered. *Signed*, Jno. Buncombe. April 17, 1711.  $\frac{1}{2}$  *p.* *The whole endorsed*, Reed. Read April 17, 1711. [*C.O.* 152, 9. *Nos.* 61-64, 64a, 65.]

April 17.  
St. James's.

**815.** H.M. Instructions to Capt. Josias Crowe, C. in C. of the Convoy to Newfoundland. *Following the Representation of the Council of Trade*, we hereby authorize and empower you to redress and punish all such abuses or offences as shall be committed at Newfoundland contrary to the Act to encourage the trade to Newfoundland, in such manner as the same have formerly been, or lawfully may be redressed or punished, according to the known usage or custom of that place ; and as to all other cases not to be redressed there, we do hereby strictly require you to inform yourself, whether the several directions and provisions in the said Act, particularly those relating to the complements of green men or freshmen, as likewise the keeping of journals by Admirals of harbours, be duly observed and comply'd with, and if you shall find they are not, you are then and in that case to transmit to one of our principall Secretaries of State, and to our Commrs. of Trade and Plantations the names of the several persons so offending with a particular and exact account of their respective offences, and how proved to the end such offenders may be proceeded and punished against here. *Signed*, A.R. [*C.O.* 324, 32. *pp.* 74, 75.]

April 19.  
St. James's.

**816.** Order of Queen in Council. Approving draught of Instructions to the Lords Proprietors of Carolina, (*v.* April 13). *Signed*, Christo. Musgrave. *Endorsed*, Reed. 12th, Read 15th May, 1711. 1 *p.* [*C.O.* 5, 1264. *No.* 116 ; and 5, 1292. *p.* 310.]

April 19.  
Whitehal.

**817.** Council of Trade and Plantations to the Queen. *Refer to documents relating to the case of Edward Buncombe given under March 24 and April 17th, q.v.* We are humbly of opinion that petitioner is justly entitul'd to have reparation according to the

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Act of the Leeward Islands 1701 for the damage he has sustain'd. *Propose* that H.M. signify Her pleasure to Governor Douglas that upon his arrival he do in the most effectual manner recommend petitioner's case to the Council and Assembly of Mountserrat, or to the General Council and Assembly of the Leeward Islands, as occasion may require, that justice may be done to him therein. [*C.O.* 153, 11. *pp.* 289-293.]

April 19. **818.** Order of Queen in Council. Approving preceding Representation and directing accordingly. *Signed*, Christo. Musgrave. *Endorsed*, Reed. 12th, Read 15th May, 1711. 1 *p.* [*C.O.* 152, 9. *No.* 67; and 153, 11. *pp.* 309, 310; and 5, 11. *No.* 65.]

April 19. **819.** Order of Queen in Council. Approving Draft of Instructions (*v.* April 13) to the Lords Proprietors of Carolina, which are to be prepared for H.M. signature. *Signed*, Christo. Musgrave. 1 *p.* [*C.O.* 5, 11. *No.* 64.]

April 21. **820.** Receipt for some letters from Major Jno. Livingston Nantaskett. to be delivered to General Nicholson in London, with instructions *etc.* *Signed*, Jno. Dean. 1 *p.* [*C.O.* 5, 751. *No.* 80.]

April 23. **821.** Isaac Royall to Mr. Ayon. Yours per Mr. Rodney Antegoa. came safe to hand, per which perceive Col. Lambert's fire was soon extinguish'd, Mr. Rowe give a very indifferent character of him, *etc.* Since your departure, the health, success and good voyage to Capt. Plum is frequently repeated, and in all companys where the poore Loyalists dare express themselves with freedom. Since the knowledge of the Address from the Leeward Islands to H.M. came to the light of the rebellious faction, their barbarous insults have not been so frequent as before, by some few of them seeming to have some concern on their brows. Those that had not made over their estates by sham seales before the murther of the Generall have since been very industrious in doeing it. It's beleived that some of the Toppers will leave the Island in a little time, others doe frequently express themselves with all the envy and malice that Hell itself cou'd vent. I heard severall of them within these three days say, that if H.M. resented what they had done, they wou'd serve some other Prince, for they were one and all, and if H.M. hang'd one, she shou'd hang all, so little sence have they of their horrid crime, that the greatest part still persist in the justification of the action. To see how those blood-thursty villaines are hugg'd by the Lieut. Governor, nay like children in the arms of their parents, and no notice taken of the Loyalists, the measures he has taken since his arrivall amongst us is surprising to all thinking men, undoubtedly he has endeavoured to stifle that bloody trajedy as much as possible, as will appear I beleive when the matter is truely and faithfully looked into. If he should be confirmed in the Government as they give out he will, Genll. Parke's friends have no business to stay in this Island. Pray use your utmost endeavours to prevent it, *etc.* Myself, Capt. Matthews and French seem to be pointed at above all

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others in the Island, *etc.* There are severall very materiall affidavits prepared since your departure, which will be sent if possible to get an opportunity to send them to St. Christophers, not daring to send them per the packett from hence for fear of a search, *etc.* Wee hope you'll be frequent in your Addresses to H.M. in our behalfe for Her speedy protection. The Address that was signed by 23 of the most eminent Gentn. of the Island, of Genl. Parke's friends, by some means or other took light, and diligent enquirys were made, and so strict that wee were forced to burn it, *etc.* I have sent you a copy. Forgett not to desire that the Councill and Assembly books be demanded home, which will be justification to Genl. Parke's action and a condemnation of theirs to the greatest degree. When the news of your departure came to the Lt. Genll's. ear, he expressed himself with a great deal of concern, and offered £500 to know who carryed you off, as Oglethorp told me. You had undoubtedly shared the Genll's. fate had you stay'd three days longer. *Signed, Isaac Royall. 2 pp. Enclosed,*

821. i. Address from Antego to the Queen. A few of your Majesty's dejected but loyall subjects of this Island privately meeting together do lay ourselves prostrate at your Royall feet, for protection of our lives and interests for adhering to that late loyall person, Governor Parke, *etc.*, who was murdered in a most barbarous manner, the particulars being such as were never paralleled even amongst the Heathens, much less amongst those called Christians, and who stile themselves Protestants. Our lives, Great Queen, are so much in danger, that wee dare not trust the acquaintance of this our Address even with our friends, for that the diligence of our enemys is such as nothing can scarcely pass their knowledge, and the attempt to discover to your Majesty the truth of that affaire wou'd be of fatall consequence to your Majesty's supplicants. They have gained by threats and promises an Address signed by all the Councillors (Col. John Hamilton excepted) wherein the truth is wholly hid, at which meeting was permitted to sitt in Councill two certain Gentn., one of which did not appear there since the late Genll's. coming to his Government, and the other for above two years before he was murdered, both which signed the Address, and which wee doubt not but your Majesty by your penetrating judgment will easily see thro' the veil drawn over that bloody scene. When the full truth is laid before you, your Majesty will approve the late Generall's conduct, *etc.* *Signed, The Hon. Col. John Hamilton; Joseph French, Treasurer; Capt. Wm. Matthews; Richd. Buckeridge, Collr. of Customs; John Brett, their Naval Officer; Isaac Royall, Capt. John Wickham, Majr. Jeremiah Blizard, James Raleigh, Capt. John Roe, Cesar Rodeney, John Haddon, Tho. Turner. 2 pp. [C.O. 152, 42. Nos. 61, 61 i.]*

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April 23.  
St. James's.

**822.** The Queen to Governor Douglas. In accordance with the Representation of the Council of Trade, April 19, Our will and pleasure is that, upon your arrival in the Leeward Islands, you do in the most effectual manner recommend Edward Buncombe's case to the Council and Assembly of the Montserrat or to the General Council and Assembly of the Leeward Islands, that reparation may be made to him *etc.* *Countersigned*, Dartmouth. *Annexed*,

822. i. Duplicate of No. 817. [*C.O.* 324, 32. pp. 75-79.]

April 24.  
Whitehall.

**823.** Lord Dartmouth to Governor Douglas. I am again commanded to acquaint you that H.M. thinks it for her service you should go to your Government as soon as possible; the enclosed letter which I have just now received from the Admiralty gives me hopes that you may still have the benefit of the Leeward Convoy, which I heartily wish, and that you may have a good voyage. *Signed*, Dartmouth. *Annexed*,

823 i. Lords Commissioners of the Admiralty to Lord Dartmouth. Admiralty Office, April 24, 1711. The ships of war bound to the Leeward Islands are at Spithead under orders to proceed on their voyage in company of Sir Hovenden Walker, as far as their way shall lie together. *Signed*, J. Leake, G. Byng, J. Wishart, Geo. Clarke. [*C.O.* 324, 32. pp. 79, 80.]

April 26.  
Mountseratt.

**824.** Lt. General Hamilton to the Lord Dartmouth. Since my last from Antigua (*v.* April 5th), I had the Flag of Truce return'd from Martinique with an answer from M. de Phelipeaux the French King's Generall relating Mr. Bermingham whom I had demanded, who saith that the said Bermingham has declared himselfe to be a Irish Roman Catholick and desired his protection, which he could not refuse soe consequently to doe all the injury to his fellow subjects he is capable of, but has (God be praised) hitherto been frustrated in all his undertakings except that upon Barbuda, which he took by treachery before he was discovered to have taken sanctuary amongst the enemy, by coming ashore in that Island under pretence of having been taken by the French and there landed, he being well acquainted with ye manager or Commander Col. Codrington had there was courtiously received and entertain'd but soe it was that ye said Bermingham had a number of men Brittish and Irish runnagadoes like himselfe with some French men lodged in the adjacent woods, and when he did see a fitt opportunity seiz'd the Commander took and blew up the Castle, and carried off both white and black to Martinique, from whence the first are returned by the Truce who gave me this account and doe further say that he was then out with some privateers. As soon as the man of warr came in to Antigua, which was on ye 9th instant, I embarked immediatly on board of her and took with me two sloops with a detachment of H.M. troops out of Col. Jones's Regiment, and proceeded to this Island

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from thence to Nevis and St. Christophers and soe to Anguilla, where I arrived the 12th at night, but said Bermingham who had been there and attempted to land was gone (as by advice they had from St. Martins) to the Windward Islands with six sloops, with which number he had appeared off of Anguilla, upon which I resolved immediatly to sett saile to protect, or relieve the place he should attempt, since I have been at St. Christophers and Nevis, where I gave such directions as I thought might in the best manner secure them against any attempt of his. I arrived here yesterday where I mett the *Evelin* packett, by whome this and my former comes, by whome I have advice from Antigua that ye privateers have been very busie about that Island and is believed that Bermingham is of the number ; they have taken two shippes just off of the Harbour, soe that it is impossible for the best Generall to order or the most dilligent Captain of any one shipp to protect the trade to and from these Islands, besides the man of warr now on this station is soe foul, her sailes and rigging soe much worne, in short everything out of order for want of a store here, that should shee goe to Leeward with any of the loaden shippes to see them clear of the Islands by ye opinion of all the officers on board it would be impossible for her to turn to windward again, but be obliged to goe either for Jamaica or New England, by which your Lordships perceives of how little service one single shipp is to soe many Islands, the consideration of which is humbly submitted to your Lordships. Bermingham has twice attempted to land on this Island, severall times at Antigua, one's at each of the two Dutch Islands of St. Eustatia and Sabat, but by the timely notice I had given them was frustrated everywhere, and am in hopes may in a little time fall into our hands, there being a reward offer'd of £300 for any that shall take and secure him, soe that he may be brought to condigne punishment, *etc.* After I have settled things here in the best posture I can possible, which for want of small arms and other stores of warr throughout all the Islands as well as this, I cannot doe soe efectually as I could wish, however shall doe the best in my power for her Majesties service, and then proceed to the Island of Antigua, to quiett in the best manner I am capable the minds of those unhappy people and waite impatiently for Her Majesties grations directions how to proceed till which time I take that Island to be in double danger, of a watchfull crafty cunning, neighbouring enemy, however I shall not faile in the maine time to give all the encouragement of hopes to the people to quiett their minds, in order to encourage them to doe their duty in resisting the common enemy, and shall in every particular to the utmost of my power discharge my duty to H.M. *etc.* P.S. I have ye three spy's Bermingham landed at Anguilla now on board ye man of warr in order to be tryed as soon as I gett to Antigua, the sloops I had with me the one belong'd to this Island, the other to Capt. Norbury, Commander of H.M.S. *Lark*, who lent her for the service. *Signed*, W. Hamilton. *Endorsed*, Recd. 23rd, Read 27th June, 1711. 1½ pp. [*C.O.* 152, 9. No. 71 ; and 153, 11. pp. 334-339 ; and 152, 42. No. 62.]

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April 27.  
Whitehal.

**825.** Wm. Popple to Mr. Attorney Generall. Encloses abstract of papers referred to in the petition of Wait Winthrop relating to the Narraganset Country *etc.* for his opinion. "Tho' the Representation was made upon the Dutchesse of Hamilton's petition, yet it includes the cases of all, or most of the other claimants." [*C.O.* 5, 1292. *pp.* 308, 309.]

[April.]

**826.** Executors of Col. Parke to [*? the Council of Trade and Plantations*]. Express satisfaction at the instructions given to Governor Douglas. *Petition* for leave to informe the Board of the state of Antigua since the murder, as they are requested to doe by severall of the Councill and others, who have not only been forced to act under the immediate influence of the assassination, but also the cheife places of honour, proffit and trust, civill and military are taken out of the hands of those who continue loyall to their Sovereign, and conferr'd on the most active in this horrid assassination. Such is the daring insolence and inveterate malice of the assassins, that they have not only waylaid the Justice of the Peace, before whom our affidavitts were taken, with a designe to murder him, but allso all those who continue loyall, and were in the interest of the late Genll., are threatned to share his fate, and they have given out that if H.M. touches the hair of any of their heads, they will deliver the sword into other hands. *Pray* that any additional instructions may be given to Governor Douglas that may be thought necessary. 1 p. [*C.O.* 152, 42. *Nos.* 46 and 67.]

April —.  
Antigua.

**827.** Mr. Morris to the Council of Trade and Plantations. *Refers to letter of Feb. 27.* I was in hopes the Generall Council and Assembly wou'd a done something notable on that occasion, the Lt. Generall sending for all Col. Parke's friends to answer to all such interrogatorys as should be put to them. *Refers to enclosures.* I am sorry men in such posts and on such occasions should give the least occasion or handle for remarques, as I can't but make some on his late conduct, for all part of mankind must beleive the late Generall's friends could not give any account why he was put to death, so altogether improper to exhibite interrogatorys to them, when on the contrary the Lt. Generall ought to 'a cited those his executioners, to 'a known what reasons they had to put him to death, by which irregular proceedings I beleive, was the occasion the Generall Council and Assembly did nothing that I can learn, and indeed wee could not expect better from the begining; for all the members of the Assembly for this Island were the cheif actors in the murder, and one of the Council for this Island was of that faction, and had not appeared in Council for three years before Col. Parke's death (which persons wou'd never been allowed to sit judges of their own actions in any Government but this, and had the unfortunate Col. Parke appointed any Member of the Council for the General Council, without taking the voice of the whole Council) he would 'a bin thought partial. But in this Government 'tis thought regular; and to give those gentlemen the better opportunity to compleate

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their repeated threatning of securing the sword (*v. Feb. 27*), wee have a general removall of the late Generall's friends, from the Treasurer to the Gunner of a fort or platforme, and there is also to be a regulation in the militia, and wee the Loyalists shall have no opportunity of sending your Lordships any proofs, all the Justices of our side to be put out, and in short all posts of trust and proffit is, and will be put into their hands. I very well remember when our Lt. Generall came up to this Island (after the death of our late Generall) he being in the house of our Lt. Governor, he exclaimed against the unjust proceedings of the late Generall, in his depriving all the Lt. Governors of their perquisites, by leaving orders at all the Islands, that no letters of administration should be granted but by himself, and leaving blank passports for vessells, as also blanck lycences, all of which was a very great crime in him. Soon after this declaration, Col. Samuëll Parry of this Island applyed himself to the Lt. Generall for letters of administration on the estate of Capt. John Symms of Mountserat, brother-in-law to said Parry, who was kill'd in Spaine, wch. letters was denyed him, the said Parry alledg'd to the Lt. Generall letters would be granted in Mountserratt to another brother-in-law there, unless his Honour would grant him the first, at which the Lt. Generall told him not to be afraid of that, for he had left orders there, no letters of administration should be granted in his absence. And since his departure from this Island to Leeward, it appears he left blank lett passes for as many vessells as he could learn would sail before his returne, two of which Col. Parry paid for his two sloops, and I doubt not but on the first occasion wee shall find blank lycences left; so that those acclamations proves but an intended peace of State policy. Some days past I was assaulted by one Mr. Drolinvaux, Mr. Smith, Jackson and Grills, the usage I had from them I have sworn to (enclosed), the first two of them I mentioned (*Feb. 27*) as being very active in the murther of the late Generall, since which Col. Jones gave Smith a commission in his regiment, which I presume is a gratuity for his rebellion, and firing that day against H.M. colours, the two latter are subalterns in the same regiment, and of the same faction, *etc.* By such early proceedings your Lordships may perceive what ministry wee shall live under if he is made Generall, as I am informed these Gentlemen have addressed H.M. in his favour; but our hopes is that H.M. will in no wise think him a fit person to command here, for if he should, all wee Loyallists must move to some other of H.M. Governments, or be contented to submitt to a greater oppression than wee do now, and the greatest hopes of speedy relief wee have is, from the impression wch. may be made on H.M. by the Addresses our neighbour Islands have sent her, shewing their Christian like detestations of so barbarous an action, *etc.* Signed, Thomas Morris. *Enclosed,*

827. i. Thomas Morris to Lt. General Hamilton. I just now received *following* summons for my attending the Council relating to the death of the unfortunate Col. Parke, in

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whose favour there may be a great deale said, but I think this is very severe, for I can't take it otherwise than commending me to run in that fire, which has been so long kindling, and is now burning at the heighth it is, my life is but a span, and should I be anyways active in the favour of that gentleman, it soon would be shortened to an inch, so that knowing my destiny, I desire the few days I may have to live may be in peace, and without the fear of being hedg'd. I assure your Honour my lipps are seal'd, and shall remain so till H.M. commands be to the contrary, so hope you'l excuse my absence, and give me leave to rest as I am. *Signed*, Thomas Morris. *Copy*.

827. ii. Copy of summons to Thomas Morris to appear before the Lt. General and General Council at St. Johns, to be examined as to the death of Governor Parke, *etc.* *Signed*, Tho. Kerby, Clk. Council. [*C.O.* 153, 11. *pp.* 339-345.]

May—Dec. **828.** Permit for 16 ships to sail without convoy. [*C.O.* 324, 32. *pp.* 82, 101, 102, 104-107, 110, 111.]

May  $\frac{3}{11}$ . **829.** Commandant Vanderheyden Rezen to the Directors of the Dutch West India Co. *Signed*, P. Vanderheyden Rezen. Rio Essequibo, Fort Kykoverall. *Dutch.* 1 *p.* [*C.O.* 116, 21. *No.* 5.]

May 5. **830.** Lt. Governor Spotswood to the Lord Dartmouth. Virginia. Complaint against Mr. Corbin. *Vide* July 17. *Signed*, A. Spotswood. 2 *pp.* [*C.O.* 5, 1337. *No.* 10.]

May 6. **831.** Lt. Governor Hamilton to the Council of Trade and Antigua. Plantations. *Refers to letters of April 5 and 26*, "since which nothing of moment has occurred." *Encloses duplicates.* *Signed*, W. Hamilton. *Endorsed*, Reed. 23rd, Read 27th June, 1711. 1 *p.* [*C.O.* 152, 9. *No.* 72; and 153, 11. *p.* 335.]

May 7. **832.** Governor Hunter to the Council of Trade and New York. Plantations. I am honoured with your Lordpps. of Oct. 26 by ye packet boat that arrived here abt. a fortnight agoe. At ye same time I had a letter from ye Earle of Dartmouth with H.M. directions for patenting of lands. I have such variety of matter to trouble your Lordpps. with all, that I am at a loss where to begin. I shall follow ye order of time. Imediatly upon prorogueing ye Assembly of this place, I went to attend that of the Jersey's where I met with difficulties of a new nature. There, I had a Councill to struggle with, which had well nigh render'd all my endeavoures for H.M. service there, as fruitless as ye humoures of ye Assembly have done here. I am ordered by H.M. to compose ye differences there, or report their true causes and what opposition I meet with. The former being past all human power or art, I shall doe ye latter with all ye candor imaginable; it is needless to goe back soe farr as ye Assembly's Remonstrance in

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ye Lord Cornbury's Government, your Lordppps. haveing had sufficient trouble in that already, but that remonstrance begott ye Councill's Address commonly soe call'd, which indeed was not soe, but ye private act of a number of ye Councillors signed by them at different times and in different Provinces, and by two of them as they have own'd to me much against their inclinations, being wise enough to foresee ye consequences thereof. These Gentlemen, I mean the Addressors, thus link't together, in order to make good ye allegations in that Address, combin'd to take such measures as should make all publick affaires miscarry in ye house of Representatives, and that soe avowedly that Mr. Quarry thought fitt to leave them in most things, and Mr. Mompesson in some, without which I should never have been able to have carry'd one thing in Councill as it ought. The first three Acts which came upp to ye Councill, they rejected upon ye second reading, and cou'd by no means be prevailed with to committ them, tho' it was urged that paying soe little respect to these Bills was but a bad step to a reconciliation soe earnestly recommended to them, and that if there was anything in these Acts they disliked, they might either amend it in the Committee, or reject it at ye third reading. These Acts were An Act *for acknowledging and recording of deeds*, An Act *for preventing prosecutions by informations*, an Act *for ascertaining ye qualifications of jurors, etc.* The next was an Act *for regulateing ye practice of ye law etc.* All that was urged against this Act was that ye laws of England were sufficient for that matter. The next which came was an Act for regulateing and appointing ye fees of ye severall officers and practitioners of ye law. With relation to this Act I must acquaint yr. Lordppps. that haveing in H.M. instructions ample directions as to ye manner of appointing and regulateing fees, and haveing at ye same time your Lordppps.' opinion in your remarks on ye Lord Cornbury's Answer to ye Assembly's Remonstrances, that noe fee is lawfull unless it be warranted by prescription, or erected by ye Legislature, I thought it ye best expedient to have it waiv'd and lye on ye table, untill such time as I should receive H.M. Orders or your Lordppps. directions therein, being pretty well assured that ye Assembly would make noe great stir about it at that time. The next was an Act *for ye better selling and regulateing ye offices of ye Secretary and Clerk of ye Supream Court.* This was justly rejected because of the impossibility of keeping of ye Records in both places and ye great expence it would creat upon a very small salary. The next was an Act *for preventing corruption in ye Courts of Justice.* This Act was opposed with great vehemence as implying that there had been such corruption, and haveing a retrospection, they were prest much to pay some regard to this Act because of its specious title, and that ye preamble of ye Act was only declaratory that all laws for that purpose made in England were in force here, soe with much adoe wee got it committed, but upon its being reported, there happened such a jumble as I beleive was never before heard of at such a Board. The Chairman reported that ye Committee had made severall amendments. These amend-

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ments were their rejecting all ye severall paragraphs, except ye first. Upon reading each paragraph, the question was put whether this Board doe agree with ye Committee in rejecting that paragraph. It past in ye affirmative, soe upon ye third reading, when ye Clerk was goeing on after haveing read the first paragraph, hee was stopt and told that that was all as ye Bill was then amended, hee replyed that it was not, the Councill haveing receded from the amendments of ye Committee, and had accordingly soe minuted it. This I cold not help mentioning as a notorious falsifying of ye Minutes of Councill, most of them stood up in his justification, but being put in mind of their owne arguments for rejecting each paragraph and the mistake imputed to ye Clerk's misunderstanding ye words Recede from ye amendment for Reject ye paragraph, they acquiesced and the Minutes were rectified : but upon the question if the Bill as amended doe pass, votes were equall. Upon which I put ye question, if the Bill be rejected. It past in ye affirmative, Mr. Hall in ye first question haveing voted that it doe pass, and in the second that it be rejected. Then came up ye Act for releiveing ye creditors of persons that are or hereafter shall become bankrupt in Great Brittain. It is impossible to imagine with what indignation this Act was treated, by that majority. The mildest termes that it received were that the very name of it created horror, that it was evident ruine to that province, and that H.M. was ill informed when she gave such an Instruction : I told them that altho' I seldom troubled them with my opinion in passing of Acts in Councill, but was very willing to be concluded by theirs, but when H.M. Instructions were called in question, they must pardon me ye freedome which I conceived to be my duty to use on such an occasion. I told them that I had thought it needless to informe them, that these Instructions were not form'd upon ye private insinuations of any person, but prepared with due deliberation by a Board commissioned for that and other purposes, read and considered by H.M. in Councill and there approved by her. That when in conformity to such an Instruction, the Representatives had prepared an Act and sent it to them for their concurrence, their rejecting of it as prejudiciall to ye interest of ye Province, cold not well bear any other construction, then that H.M. her privy Councill, her Commissioners for Trade and ye Representative body of ye Province were acting in opposition to ye true interest of it, or that ye Councill, or rather a certaine number of them understood that matter better than all of them together, or what I should be very unwilling to beleive, that some of themselves were personally too nearly concerned in ye consequences of passing such an Bill. I told them likewise, that I had observed all along a very commendable caution in them, that all Acts past here should be very nicely conformable to ye laws of England, I hop'd there was likewise some regard due to ye interest of England, which was evidently intended by this Act, especially when it was noe wayes repugnant to that of this Province. All the effect this had upon them was that ye Bill was committed, reported without amendment, and rejected. I have

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enlarged upon this head that your Lordships may be the better informed of these Gentlemen's inclinations, and their method of proceeding in Council, and because as I am informed they have been drawing up reasons in their justification, the cheife of which with relation to this Act will be as I suppose, that it would shake their titles, many of them holding their lands from such bankrupts, that commissions of bankrupts may be surreptitiously obtained in England to their ruine, and that it would frighten people from settling in that Province, but they were frequently told that the house of Representatives meant this Act only as ye ground work, leaving the superstructure to ye Council who were more learned in ye laws, for all these inconveniences mentioned were easily to be remedied by proper additions and amendments. The Act to *prevent commencing actions under £10 in ye Supream Court* was rejected after ye same manner. The Act for *regulateing elections and ascertaineing the qualifications of ye Representatives*, tho' founded upon and conformable to an Instruction of H.M. for this purpose, was rejected because repugnant to an Act past in Col. Ingoldesby's time. Which Act as they themselves owne was made on purpose to exclude Dr. Johnston and Capt. Farmer from being elected, these gentlemen at that time living by chance in ye Province of New York, tho' their estates which are very valueable lye in ye Jerseys and who have acted very zealously and strenuously for H.M. service. The next Act that came up was an Act declareing all ye printed copies of all the Acts past in ye Session of March and Aprill 1708 and 1709 to be as effectually to all intents and purposes as ye originalls cold or would be were they duely and regularly in ye Secretaries Office. To let your Lordships into ye meaning of this Act, I must narrate severall particulars. About ye begining of that Session, I sent to ye house of Representatives a message, and with it amongst other things H.M. letter in favoure of ye Lady Lovelace. The Assembly observeing from these words of H.M. "that wee not only consent to their giving the petitioner the summe they have voted of £800, but highly approve" *etc.*, that it being mencon'd only as a vote, she did not know that it was past into a law, and consequently that these laws past in ye Lord Lovelace's time had not been sent home for her approbation. They had recourse to ye Secretaries Office for ye originalls, which were not to be found there. The former Lt. Governor, Coll. Ingoldesby, when questioned about these Acts, answer'd that hee knew nothing of them, and that hee beleived ye Lady Lovelace had burnt them amongst other papers of her Lords. Upon this I had ye Secretary examin'd more particularly, who said the Lord Lovelace had carry'd them to New York to have them printed, there being noe time to take copies. The printer being examined, declared that hee had printed these Acts from the originalls, and that Mr. Cockerell, the Lord Lovelace's Secretary, who is also dead, had them from him in order to returne them to ye Secretarie's office in ye Jerseys. These Acts being thus lost, that due regard might be paid to H.M. soe just and charitable intentions and desires, there cold be noe other expedient thought of, but that of this Act,

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because, there being an Act past in Col. Ingoldesby's administration givinge £600 to him, of the eight granted by ye former Act to ye Lord Lovelace, and sent home for H.M. approbation, and that Act in favoure of ye Lord Lovelace never havinge come to her royall hands, she was left noe choice which to approve or disapprove. The Councill in their Committee added a clause in these words. "And whereas in the eighth yeare of H.M. reigne in ye session of ye Generall Assembly for this Province held at ye towne of Burlington in ye months of December and January 1709, an Act of Generall Assembly was past, entituled an Act for explaining and rendring more effectually, an Act for support of H.M. Government of Nova Cæsaria or New Jersey, for one yeare, the originall whereof is lodged in ye Secretaries Office, Be it therefore enacted by the authority aforesaid, that nothing in this Act contained shall be construed deemed or taken to ye prejudice of ye said Act either by avoiding it in ye whole or in any part thereof, but the same shall remaine in full force and vertue as if this Act had never beene made." It was urged against this clause, that seeing this Act as it stood imported noe more than that ye Acts passed in ye Lord Lovelace's time should be of ye same force as if they had beene duely in ye Secretaries Office unless it could be imagined that these Acts if they had beene duely there could have made voyd or repealed those late ones in whole or in part, this amendment was to noe purpose and had really noe meaning. The house of Representatives were apprehensive, that this was intended by ye Councill as a confirmation of that Act past in Col. Ingoldesby's time, givinge him ye money granted by ye former to ye Lord Lovelace, or at least that ye passing of this clause might be constructed as if they were satisfied it should be soe. But the only reasons they gave for not agreeing to it were, that they would never consent to a clause soe foreigne to ye title and intent of ye Bill. The Councill adhered to their amendment, and soe ye Bill was lost. I have however ventur'd to send your Lordpps. these Acts of ye Lord Lovelace's under ye Seale of ye Province, havinge had them compared with such coppies as remained in the hands of the then Clerk of ye Assembly. The next was an Act for relieving of persons aggrieved by an Act past in the third yeare of H.M. Queene Anne intituled an Act *for settleing ye Militia*. It is manifest that many persons have beene aggrieved under colour of this Act by distresses to a much greater value than ye fynes which have either never been sold and remaine in ye hands of ye distreiners or others officers, or if sold, the overplus not returned to ye owners as by ye Act directed. However it was committed, reported without amendments and rejected. The next in order was an Act *for raiseing of money for building and repairing goals and courthouses*. Your Lordpps. well know how earnestly H.M. has recommended that matter, and everybody here sees ye necessity of such a law, for want of which many malefactors escape, and ye country is put to great charges to guard them. The Councill however made severall amendments to it most of them only changeing ye places to others judged by them more convenient. The Assembly

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agreed to most of them, but disagreed to one, which directed ye building of a goale in a corner of ye county, in a place little frequented. The Councill insisted upon it, alleading that ye undertakers upon ye creditt of ye former Act had already begun that work. The Assembly offered to remedy that, by paying that expence out of ye money raised by this Act, but all to noe purpose, soe this good Bill was lost. The last was an Act *for preventing ye wast of timber and pine trees*, which tho' of noe great consequence had ye same fate with ye others. Haveing thus run over ye Acts passed by ye Assembly and rejected by ye Councill, before I enter on observations of the Acts by them past, I must begg your Lordpps.' patience whilst I make a few on their conduct. Finding all my efforts towards a reconciliation fruitless, at ye begining of ye sessions I thought of an expedient to allay heats and prevent a further rupture. I recommended to ye cheife amongst them that in order to enter speedily upon the publick affaires, there should be noe objections be started on either side to any elections. To which they agreed. Notwithstanding of which the Councill party in ye Assembly, very unadvisedly, being but an inconsiderable number objected agt. the elections of two of ye cheife members of ye house, immediatly upon ye Speaker's communicateing my speech to them, upon which the other called ye Country party (I am sorry for ye distinction) told me it was hard to tye their hands while ye others attacked them, soe they expelled two members of ye other party, one Major Sandford for haveing signed ye Councill's address agt. ye Assembly, when hee was of that board, as he was at my arrivall here, but begg'd to be excused that service being guilty of a very foule crime consenting to, and contriveing ye escape of a felon, for his money which hee had in his hands to a considerable value, and who was afterwards apprehended and hanged, confessing at his death ye whole matter which was but too well knowne before. This majority in Councill, which I am sorry I have occasion to mention soe often under that name, haveing boasted all along that they and their freinds only were for supporting Government, I was surprized to heare, that their few freinds had voted in ye Assembly in that matter for summes and times differing from ye rest and one another, which made all their votes of noe use towards ye passing of the Bill. But what was more notorious upon ye passing ye Militia Act, the Quakers as their customs is left ye house that ye Bill might pass without their voteing in it. But ye Councill party there voteing agt. it, the votes fell to be equall upon which one of ye Quakers return'd to ye house, ask't how ye votes stood, and being told they were equall said hee knew ye meaneing of that very well and voted for it, by which ye Bill was carryed. Their method of proceeding in relation to Bills, was at first rejecting them on ye second reading, and at last when prevailed with to committ them, they either reported them without amendment and soe rejected them, or clogged them with such as made it impossible or at least very improbable they should pass ye other house; as perticularly in ye Bill declareing all laws past in England agt. corruption in ye Courts of Justice to

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be of force in that Province; they added a clause enacting ye Protestant succession, rights of ye Church *etc.* This however they were ashamed of and ye Councill disagreed with their Committee, being told that that amendment was foreigne to ye title of ye Bill and that it would sound very oddly in England that wee should imagine, that ye protestant succession wanted any further sanction here. Much time was spent in Councill in cavilling and wrangling on matters foreigne to those before them, sometime in indecent reflections on ye memory and conduct of a person of honour decead., frequently to that degree of heat that I was obliged much agt. my nature to exert ye authority I am clothed with to keep them to order and rules. These disputes were chiefly managed and promoted by Col. Cox, who as I am informed is goeing for England, I hope hee will, and then your Lordppps. will better judge how fitt a person he is for a Councill Board. I protest to your Lordppps. in ye sincerity of my heart that I have noe ends to pursue but H.M. service, that I have noe personall dislike of any man, that I have avoided party prejudices, and have acted by noe passions in any part of my administration. Which emboldens me to tell your Lordppps. that unless H.M. be pleased to remove from her Councill in ye Jerseys William Pinhorne, Daniell Cox, Peter Sonmans, and William Hall, there are noe hopes of peace and quiet in that Province. Coll. Townley is since dead, and Huddy a weak man ledd by ye rest. Mr. Mompesson joined with them in most matters being sonn in law to Mr. Pinhorne, and tack't to them by that fatall address. Coll. Quarry tho' unwarily link't to them by ye same claime has behaved himselfe most worthily for H.M. interest at this time. The state of ye question I humbly conceive to be this, Whether these Gentleman shall be continued in their places, which are indeed a trouble and expence to them, and for which they can have noe reall inclination as matters stand but to gratifye their passions, and by that meanes ye confusion here be perpetuated, or that they be removed and others put in their room to the entire satisfaction and perfect settlement of the minds of ye people in that province, for let who will governe, unless he doe it by will and pleasure, I'll be bold to affirme he can effect nothing to purpose, whilst these Gentlemen are in ye Councill, and I can promise in ye name of ye people, that nothing shall be wanting hereafter as farr as their ability will goe; which may be judged necessary for H.M. service, if they are gratified in this perticular. For this purpose I send your Lordppps. a list of ye names of 8 persons for H.M. Councill in ye Jerseys, that out of them your Lordppps. may choose a number to supply the places of such as you shall think good to remove. In ye Western Division, John Hambleton, Generall Postmaster, Thomas Byerley, Collector and Receiver Generall of New York, and a Proprietor of ye Jerseys, John Reading, Proprietor and Clerk to ye Councill of Proprietors, John Wheeler, a very honest substantiall inhabitant at Burlington. In the Eastern Division, David Lyell, a Proprietor. John Anderson, William Morris, Elisha Parker, wealthy honest men. Your Lordppps. will also receive with this a bundle containing

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representations, petitions, and affidts. agt. these Gentlemen of ye Councill and ye Secretary for the province, with some of their answers, which to me appeared trifling and evasive, and if your Lordppps. take ye trouble to read them, I beleive you will be of ye same opinion. As to ye Secretary, I'le say noe more of him than this, that if there be any creditt to be given to ye universall report of mankind, there lives not a more corrupt man upon ye earth than hee. I received an Address of the Assembly agt. him (*enclosed*), of which I gave him a copy. Some time after, I received an Address from these Gentlemen of ye Councill in his favoure (*v. Minutes of Council*). To which I relpyed. Towards ye close of ye Sessions hee gave mee his answer. There is noe man thinks himselfe safe in his property whilst he is in his office for few or none will venture deeds in his hands to be recorded. It is a place of honour trust and emolument and deserves ye service of a better man. You have also in ye bundle an abstract of a long Representation of the Assembly relateing to ye state of ye Province. It had beene printed without my knowledge, for which reason I seized in ye printing house all ye cotypes, and suppress'd them. The preamble containeing a series of reflection of past miscarriages and ye administration of a person of honour heretofore in ye Government. The Acts passed by me that Session are as followeth. An Act for support of *H.M. Government of New Jersey*. Your Lordppps. will observe that ye supply is given in ye manner it ought to be. But by their resolves the sallaries of ye respective officers of ye Government are but small, which I hope to have remedied next time. An Act for amending and explaining an Act for ye currency of bills of creditt for £30,000. The mistakes mentioned in ye preamble of this Act, which obstructed ye currency of these bills, struck for ye expedition agt. Canada, are occasioned by ye decease of one of ye persons appointed to signe and issue those bills, the two surviving persons not thinking themselves sufficiently authorized to doe it, chose one of ye managers named in ye Act for that expedition to joyne with them in signeing ye said bills. When with much difficulty wee had got this bill committed, which was only intended to make good the publick creditt, Mr. Sonmans said in ye Committee, that they might enact what they pleased, noe man should force him to take them in payment. Being taxed with this expression in Councill, hee answer'd that noe man cold force him to take silver money in payment, if hee had a mind to forgive the debt. This inclined the Councill some of them haveing of these bills in their hands to add a clause declareing ye tender and refuseall of such bills legall payment of all debts to ye value. The Assembly disagreed to this amendment. The Councill was told that if they adhered, ye Assembly would upon a conference agree being since better informed, but for that very reason they departed from it, which I am afraid will prove a very great hindrance to ye currency of these bills. An Act for reviveing ye *Militia Act*. Your Lordppps. will easily observe the mistake committed in ye title of ye Act, reviveing an Act which was not to expire till about a month after, soe there was an amendment offered in Councill

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to ye title. These Gentlemen said it was irregular to amend ye title of an Act. It was replied it might be soe, but they did not alwayes think soe, for that but a few dayes before they had made an amendment to ye title of an Act which was agreed to by ye Assembly, but they could not be perswaded to doe it, soe I was forced to take it with this blunder or loose it. An Act *for reviving and continuing ye Courts of Comon Pleas in ye County of Gloucester.* This is an Act of course which your Lordppps. have had frequently before, that Court being often discontinued for want of Justices. An Act *for enabling ye owners of ye meadows and marshes adjoyneing to and on both sides of ye creek that surrounds ye Island of Burlington to stop out ye tide from overflowing them.* This is an Act for ye benefitt of ye owners and to noe man's prejudice. I am commanded by your Lordppps. in your last to me, to send you my observations on ye Acts past in Jersey, dureing Col. Ingoldesby's administration. The first is an Act *for explaining and rendring more effectuall an Act for support of H.M. Government.* This Act instead of explaining ye other, or makeing it more effectuall, indeed destroys it, for it gives £600 of ye eight granted by ye former Act to ye Lord Lovelace to ye Lt. Governor Col. Ingoldsby, who was already provided with a salary by that Act. In ye former Act ye money is directed to be issued by warrant signed by John Lord Lovelace in Councill, where it is indeed defective, had they explained it by adding ye words, or ye Commander in Cheife for the time being, the title and Act had been of a peece, for this was most certainly the meaning of that Act, whatsoever ye latter may import, and should H.M. approve ye former, as I am apt to beleive she will, and disapprove ye latter, there appears to be a necessity still for an explanatory Act for the reasons above-mentioned, tho' I am afraid to little purpose for ye behoofe of that Lord's family, Col. Ingoldsby not being able to repay what hee has had, and I beleive others have had their share of that summe, being led to that beleife by a story which I must entertaine your Lordps. withall, and which I had from some of ye gentlemen concerned. Whilest that Act of Col. Ingoldesby's was in deliberation before ye Councill, they thought that since such a summe was given to him for support of Government, they had a just title to a share of it, soe before they would agree to pass the Act, they were promissed each a peece of plate. In this last Session whilest the Councill had under consideration the Bill declareing the printed copyes of ye Acts passed in ye Lord Lovelace's time of ye same validity as if ye originalls had bene duely in ye Secretary's office, these Gentlemen thought it a proper season to put Col. Ingoldesby in mind of their tankards, hee at first huffed and call'd names, soe that at that time the Bill had liked to have pas't, but afterwards they came to a better understanding, and our Bill was lost. In a word my opinion is that the passing of this Act will not only be an encouragement and precedent for appropriation for the future, but lead them into a way of shifting and altering their owne appropriations at pleasure. The second is an Act *for ascertaining the place of the sitting of ye Representatives, etc.* This Act is possitively against H.M. In-

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structions directing that ye Sessions should be alternatly at Amboy and Burlington founded as I have beene told upon ye concessions of ye Crowne at ye surrender of the Government. I have formerly given your Lordpps. my opinion in this matter, and acquainted you with the expedient I had found to compromise it, but if there be a necessity of another Assembly before I receive any directions from your Lordpps. in that matter, I beleive I shall call them to Amboy. This Act as I conceive being of an extraordinary nature and contrary to H.M. Instructions and consequently of noe force untill approved on by her, and may goe a great way in makeing ye breach wider betweene the two divisions. The third is an Act *for building and repairing goale houses*. This Act gives a power to a few to assest and leavy money at discretion. There is indeed a clause which makes them accountable to ye justices and freeholders when called thereunto, but noe penalty appointed. By vertue of this Act they have designed a Court house in ye remotest corner of the county of Monmouth, which will be a great tax upon ye people of that county and was meere party pique. The fourth is an Act *for the better qualifying Representatives*. This was levill'd perticularly agt. Capt. Farmer and Dr. Johnston, men of ye best estates and ability in ye Province, and who have beene very active and usefull in H.M. affaires, and may deprive us of more such, and is contrary to that constitution of Assembly appointed by H.M. upon ye surrender and confirmed by all her subsequent Instructions, obligeing ye elected to an actuall residence, whereas ye Instruction mentions noe other qualification but an estate to a certaine value within ye division. The fifth is an Act *for dividing and ascertaineing the boundaries of all the countyes*. The inhabitants generally complaine ye countyes are not equally and justly divided, perticularly ye inhabitants of Middlesex are obliged to travill 20 miles through the County of Somersett to repaire ye highwayes which ought properly to be ye charges of ye countys of Somersett and Monmouth, that part of ye county of Middlesex being a narrow slip of land betweene ye boundaries of those two countyes and all publick roads are repaired with greater ease and less charge by ye neighborhood. The sixth is an Act *for ascertaineing the Representatives fees*. In this Act by mistake or designe of ye Clerk the words per diem are omitted, soe that they were entituled to noe more than 5s. in ye whole for their service, but that being remedied in ye present Act for support of Government, that Act is of noe use. The seaventh is an Act *for regulateing fences*. I have heard ye men of estates and such as are possessed of large tracts of land complaine much of this Act, as putting them upon a levill with those who had little or none at all, nay rather in a worse condition, because haveing large tracts of land, they have greater numbers of cattle, but cannot reap the benefitt of their owne pastures, their neighboures cattle haveing graised them before, and by this Act they can impound noe cattle but such as break into their fences. Whereas in many other cases there is a necessity of impounding those that trespass upon their other lands. The eighth is an Act *for amending the Act for pre-*

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*venting swine runing at large.* The Act mentioned to be amended was thought a very good Act for ye country, for swine runing at large is very pernicious to their corne, pasture, meadows and wood land, and occasions a great consumption of timber in making fences to guard agt. them, soe that noe penalty can be too great for restraining them, neither will ye value of ye swine pay ye damages those creatures commonly doe, of which itselfe they are debarr'd by this Act, and have noe recompence left but the pleasure of killing of them with ye trouble and charge of finding out ye owner, who perhaps lives at ten or a dozen miles distance. The ninth is an Act *for regulateing of stone horses or stallions that run at large.* Some complaine of it, but I can see noe harme in itt. The tenth is an Act *for revireing and continueing ye Courts of Common Pleas in ye County of Glocester.* Your Lordpps. have already heard ye meaneing of that Act. These are ye objections agt. these Acts which occur to me. Your Lordpps. are ye best judges if they are of validity enough for a repeale. Before I leave ye affaires of ye Jerseys, I must acquaint your Lordpps. with some few things necessary for your notice. As the Supream Court is now constituted, all ye Councill are Judges Assistants by which meanes the benefitt of appeals may be lost, for it may soe fall out, that soe many of the Councillors may be upon the Bench as not to leave a Quorum for ye Councill in case of appeale, seeing none that have any voice in ye judgement by the Instructions are permitted to vote in the appeale. I thought it necessary to acquaint your Lordpps. with this matter beforehand, because I beleive I shall be under a necessity to alter ye constitution of that Court, by ascertaining ye number of ye Assistants. In both Provinces I have beene pelted with petitions for a Court of Chancery, and I have beene made acquainted with some cases which very much require such a Court, there being noe reliefe at Comon Law, perticularly one of Mr. Provoost one of ye Councill of New York who has beene close prisoner almost ever since my arrivall here, haveing unwarily confessed judgement for £4000, tho' the reall debt is evidently not above £400. I had ordered the Committees of both Councils to forme a scheme for such a Court, but to noe purpose. The trust of ye Seales they say constitute a Chancellor, and unless the Governor can part with ye seales there can be noe Chancellor but himselfe. I have already more buisness than I can attend, besides I am very ignorant in law matters, haveing never in my life been concerned in any one suite, soe I earnestly begg your Lordpps.' directions as to that Court. Mr. Mompesson finding himself obnoxious to the generality of ye people of that Province desired to be excused serveing longer in the station of Cheife Justice, soe I have supply'd that place by one Mr. David Jamison, who acted formerly here as Secretary in this Province with great applause and is a man of knowledge and integrity.

Your Lordpps. will have the trouble of a shorter but sadder account of ye affaires of New York, being detained in the Jerseys much longer than I expected, I was obliged to prorogue the Assembly of New York, which should have met March 1st., to

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April 3rd. Finding ye Members came but slowly to towne, I further prorogued them from day to day, till such time as the Speaker acquainted me they were a house, then they adjourned themselves waiteing for their absent members. When I was informed that there were 14 of ye 22 assembled, I sent for them and spoke to them as in ye Minutes of Councill. Some time after that, the Secretary by order of their House laid ye record of my Patent before them, and some time after they sent me a message by two of their members desireing I would communicate to them such Instructions as I had relateing to my doeing acts of Government whilst out of ye Province. I sent them your Lordpps.' opinion, (*letter of Dec. 23, 1709 quoted q.v.*) I sent them likewise the Instruction by which the President is intituled to halfe of the salary and perquissites only when I am absent from both Provinces. The Speaker told me the House was of opinion that they were dissolved by prorogueing them whilst I was in ye Jerseys. Besides what is contained in this letter of your Lordpps. I represented to them the unreasonableness of insisting upon it now, seeing it was an opinion started at first by ye people of Jersey, who had willingly acquiesced in yr. Lordpps.' decision and that they themselves had formerly met without scruple upon such prorogations, and besides that in my opinion they had now put it out of question, having for a fortnight togeather acted as a house, adjourned themselves by their Speaker, sent severall messages by their members, attended me in Councill as a house, and he, as Speaker there received from me what I had said to them. That this procedure cold be look't upon noe otherwise than their assumeing a power of dissolving themselves at their pleasure. Sometime after, the Speaker came to me, to lett me know that they had resolved by a great majority to goe home about their buissness and advised me to dissolve them. I told him I would advise with ye Councill and hee should heare further from me next morneing. The Councill were of opinion, that it was more expedient to dissolve them, than to sufferr them to dissolve themselves, soe I sent for them and haveing spoke to them as in ye Minutes of Councill, I dissolv'd them. Now, my Lords, what course to take in such a juncture, I know not. The officers of ye Government are starveing, the forts on ye frontiers in ruine, the French and French Indians threatening us every day, noe publick money nor creditt for five pounds on ye publick account, and all the necessary expence of the Government supply'd by my proper creditt, perticularly fire and candle and repaires for all the garisons, and noe hopes that I can think of for any remedy here, for, as to ye calling of a new Assembly, I shall either have all the same Members, or such others who will returne with greater fury. The resolutions of putting themselves on the same foot with ye Charter Governments being too generall to be allay'd by any measures that can be taken on this side, I wo'd faine hope that the next pacquett will bring us some releife in H.M. resolutions with relation to this Government, for without that you must expect to hear of nothing but confusion, I must repeat my instances for your Lordpps.' intercession with H.M., that my

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salary and the expence of firing and candle *etc.* for ye garrisons, which has cost this last year above £400 may be paid out of the summes in the Collector's hands here arrising by vertue of Acts of Parliament, for my creditt is run as low almost as that of the publick. I enclose the Acts past the close of ye former Sessions. The first is an Act to *prevent ye burning of woods.* Which signifyes but little in itselfe, but was all wee cold bring them to. The Act of Parliament is of more effect for restraining that abuse. The second is an Act *for repairing the block-houses, platformes and other the fortifications of the City of Albany and towne of Schinectady.* This Act was promoted at ye desire of ye inhabitants of Albany and Schenectady, who lye nearer ye dainger, and soe are more sensible of it. The third is an Act *to collect ye arreares of taxes.* Which wants noe remarke. The fourth is an Act *to enable ye precincts of Islip in ye County of Suffolk to elect two assessors, a Collector, Constable and Superrisor.* This is an Act meerly in favour of the Speaker of the House. I know not whether your Lordps. will approve my good nature in passing it after ye treatment I had met with. The fifth is an Act *to retrench the growing interest of bills of creditt.* The bills of creditt issued by vertue of the Acts of Assembly mentioned in this Act carrying a considerable interest induc't those who reeed. them to keep them upp, whereby ye intent of ye Assembly was frustrated, soe that this Act was past to prevent any further increase of interest. Your Lordpps. will observe in ye close of this Act a clause very foreigne to ye title and intent of the Bill. but they meant it as an amends for the abuse put upon the Governor and Councill in their other bills, where they made ye Treasurer only accountable to themselves, which Acts however did not pass because they would not admitt of that amendment. Mr. Mompesson, the Cheife Justice of this place is in such necessitous circumstances, that it wants a vertue more than human to guard him against ye temptation of corruption, for which reason I must intreat your Lordpps. to recommend him to H.M. favoure for ye sallary formerly paid in England to the Cheife Justice here, hee is a person of abillity and great knowledge in the Laws. What I have to add your Lordpps. will read with more satisfaction. I have now settled all the Palatines on both sides Hudsons River, oposite to one another, on good lands adjacent to ye pine land. I gave your Lordpps. in my last an account of the purchase of 4000 acres of land for H.M., her heires and successors for that purpose from Mr. Levingston for £266 13s. 4d. sterling. The small tract on ye east side in ye Queen's gift, being not sufficient for settleing ye remainder, I have taken for that purpose an adjacent tract belonging to Mr. Thomas Fullerton, who is now concerned in H.M. Customes in Scotland, who has by his letter of Attorney given me power to dispose of the same, which tract containes about 800 acres of very good land, which will cost more in proportion than the lands purchased of Mr. Levingston, hee reckoning ye neighborhood of that people more than halfe ye price, Mr. Fullerton reapeing noe benefitt from that scittuation. If I find them streightened in ground I shall endeavour to find more in the neighborhood at

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easy rates, for I find the extent of ground a great encouragement to ye people. I have met with great opposition from many of the ill-disposed inhabitants, who dayly insinuated that there were better lands for them on ye fronteers, and that they were ill used in being planted there, being informed from all hands that these suggestions had beene of force enough to make ye people idle and backward and something worse, at my returne from ye Jerseys I visited them againe, haveing remained some dayes amongst them, to appearance convinced them of the ill intentions of those that had misled them, that they cold not follow the work destin'd for, there being noe pine on these lands on ye fronteers which they had a mind to, besides they must lay their account of labouring there as the Israelites did of old with a sword in one hand and the axe in the other. Haveing by these meanes to my thinking quieted them, I left them, but was overtaken a few miles off by an express which acquainted me that they had beene in a mutinous manner with their officers declareing they would not settle these lands, but would have others. Upon which I return'd and ordered them to send deputies from each village next morning with their demands, but they then came in a body, and when I found I cold prevaile little with reasoning and was thinking of some more effectuall method to keep them to their duty, I ordered the contract which they had all signed to be read to them in high Dutch, and asked them whether they were resolved to keep to ye termes thereof or noe, that I might take my measures accordingly. After some small deliberation they returned me for answer that they were resolved to keep their contract, and would for ye future be directed intirely by me, soe wee parted good friends. Soone after that I had advice from their officers of ye wonderfull change of ye people's inclinations and conduct (*v. enclosures*). The season draws neare when they are to be employed in ye prepareing the trees. I have wrote for Mr. Bridgier who has been in New England ever since ye last Fall, but was unwilling to trust this matter entirely to him, not being througly convinc'd of his abillity by accounts I have since had from New England, and very little of his good will by his last letters, which denote a greater attention to his private profitt than the publick service soe I have provided another here, by name Sackett, who hath lived three yeares in ye Easterne countries among the manufacturers of tarr and gives a very rationall account of the method of prepareing the trees. I have also wrote to Connecticut for two more who as I am informed understands that matter very well. I informed your Lordpps. formerly how I was dissappointed in my hopes of naturalizeing that people here by an Act of Assembly. I then thought I might have remedied that by granting letters of denization. But finding since by ye Minutes of Councill a letter from your Lordpps. to ye Earle of Bellamont Feb. 16,  $\frac{1699}{1700}$  (*q.v.*), prohibiting him to grant letters of denization *etc.*, I am likewise deprived of that meanes, and must relye on such orders as H.M. shall be pleased to send for that purpose. I hope your Lordpps. have by this time dispatch't Mr. Du Prey back to me for untill he comes I shall be at a loss to finish ye accounts for the

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time past. I shall in ye meane time draw upon ye Lords of ye Treasury for such a summe as is absolutely necessary for their current subsistance. The money first paid being long since expended, and noe returnes of ye bills I drew on their Lordpps. last fall, I have been obliged to make use of all the creditt I cold possibly gett for their subsistance hitherto. I must entreate yr. Lordpps. recommendation of a ready compliance with these Bills, upon which the success of the whole depends. I ought to ask pardon for soe long a letter, *etc.* *Signed, Ro. Hunter. Endorsed, Recd. Read June 15, 1711. 36 pp. Enclosed,*

832. i.-ii. Two letters from Jean Cast, one of the officers in charge of the Palatines, to Governor Hunter, relating to the conduct of these people at Annsberg, Georgetown and Elizabethtown. *Signed, Jean Cast. March 17 and 27, 1711. Endorsed, Recd. June 15, 1711. French. 8 pp.*

832. iii. Governor Hunter to the Commissioners of Customs, New York, May 7, 1711. In Sept. last the captains of two privateers brought in hither a large ship loaden with cocoa upon my promise that no injury or hardship should be offered them; the collector agreed to the unloading the vessell after condemnation putting the effects into safe store-houses under lock and key in his possession for securing the Queen's dutys, condescending to let them sell from time to time what they could paying the dutys as they sold. The price run very low, upon a supposition they must be under a necessity of paying the dutys forthwith, and to extricate themselves so soon as possible from the prejudice this notion did them, they agreed to sell Mr. De Lancey £6000 worth. Whilst this bargain was making Mr. Birchfield, Surveyor Generall of the Customs here, for his private lucre tried to prevaile on Mr. De Lancey to sell him the most he would give, saying he would make the bargain for him, and what he could get it for less should be to his own own advantage. But he refused, and bought it himself. The dutys by this means being secured, the price of cocoa increased, which Mr. Birchfield perceiving, and foreseeing a great rise of it, agreed without the Captains' knowledge with their factor for £1000 or £1500 worth of cocoa at the same price that Mr. De Lancey had it, which when the Captains came to understand, they were very much dissatisfyed, not being willing to purchase at their loss the Surveyor's future favour to their factors, but upon some intreatys, and an apprehensiou of his power, and in consideration the whole summe was to be accounted for dutys, they consented. But the searcher and Custom-house waiter, who were to receive it for Mr. Birchfield, insisting to take it some in one place and some in another, as they pleased, the Captains would by no means agree to it, whereupon Mr. Birchfield arrested the factors in an action of £3000, and when the privateers

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came afterwards to demand a survey for such part as was not before survey'd, Mr. Davis the Searcher, (in the absence of the Surveyor who was then at Boston) refused it upon any other conditions then their consenting to let Mr. Birchfield have the cocoa on the termes aforementioned. They refusing and insisting on a survey as a matter of right, were forc't to send into the country for the Comptroller. How far they were intituled to a survey I can't tell, I beleive they had but little right to ask it. But if they would have complied with Mr. Birchfield's demands they might have had it. I cannot sufficiently express to you the resentments of the trading men as well as these privateer captains of this treatment, *etc.* The next thing I shall take notice of to you is this. In 1709 the Assembly past an Act *for regulating the fees of all officers*, which H.M. thought fit to reject, and to give me Her commands to establish them with the advice of the Council, which I have done ; some of the Custom-house officers whilst this ordinance was preparing thought themselves aggrieved and petitioned me in Council for redress, but the Council being of opinion that the fees before taken were exorbitant, and having observed their home trade much discouraged thought it for H.M. interest to pass it in the manner it now is. Some time after, I went to meet the Assembly of New Jersey, where I received a letter from Mr. Birchfield to which I returned him an answer (*Nos. iv. v. infra*). So soon as I came back, I gave coppys of both letters and the ordnance to Mr. Jamison, H.M. Chief Justice of New Jersey, who is not of the Council here, and had no hand in the ordnance for his thoughts upon the whole (*No. vi. infra*). I am sensible the fees of all the officers are reduced too low, but the Council not being of that opinion, I was forc't to pass it in this manner or to leave the officers without a legal authority to demand any, and thereby not obey the Queen's commands. But you will see by this opinion of Mr. Jamison's how little weight Mr. Birchfield's objections have, which if they had any, I gave them full force by my answer to his letter (*q.v.*) This method of one entry for the inland trade is agreeable to the former practice of this port. Another thing I shall take notice of to you is Mr. Birchfield's suspending Mr. Farmer from his Collector's office at Amboy in New Jersey, the sole reason seems to be his non-residency, and the delay vessells were put to by that means ; this is in some measure true, that Capt. Farmer did not live for some time at Amboy, but at the time of his suspension and for some months before, he lived there with his family, and if it's allowable to a Collector to live out of his port, Mr. Farmer had the best reason to expect it of any man, for his house on Staten Island is directly opposite to Amboy. But to take away all occasion of

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complaint he appointed a deputy at Amboy, *etc.* The truth I take to be thus. Mr. Birchfield having promised this office to Mr. Swift even before he had seen Mr. Farmer or been at Amboy was resolved to make room for him on any pretence, *etc.* Mr. Swift is a tavern-keeper in New York, and very seldome leaves it to attend his duty at Amboy. He is blackened with the violent presumption of crimes not fit to be mentioned. The good service Mr. Farmer has done H.M. in the Assembly of Jersey, being the principall instrument in settling a support for the Government and promoting her interest in whatever else came before their house, deserves some notice. The use Mr. Birchfield has made of his office has had very pernicious effects, merchants by his behaviour and passionate desire of gain are discouraged, officers whom he tells he ought to go equal shares with in the perquisites of their places are made very uneasy, *etc.* I wish he would take example by Col. Quarry. *Signed*, Ro. Hunter. *Endorsed*, Recd. June 15, 1711. *Copy*. 5 pp.

832. iv. Mr. Birchfield to Governor Hunter, New Yorke, Dec. 23, 1710. Your Excellency haveing bin pleased by an Order in Councill to direct that no vessell trading within the Province of New York and as farr as East Jersey, within Sandyhook, shall pay any fee for entring or clearing, the officers of ye Customs are ready to show an obedience to it, not but that they conceive themselves more than a little discouraged, it being a thing perfectly new, and I believe ye practice of no port whatsoever, but as to ye other command in your Excellency's order, that one generall entry of all goods shipp'd on board to be taken from ye master's report, shall be sufficient, this is directly contrary to ye Acts of Trade, and not in ye power of ye officers to comply with, *etc.* *Signed*, M. Birchfield. *Copy*. 1 p.

832. v. Governor Hunter to Mr. Birchfield. Burlington. Dec. 5, 1710. I had the favour of yours by Mr. Swift, whom I have qualified as you desire. I wish for your sake he may have all other qualificacons requisite. If there be anything in the ordinance repugnant to any laws of England the officers are very safe and much in ye right if they do not comply with it, for that can be no other then a mistake in such of the Councill some of them learned in the laws, who had ye care of the forming it. If it is found so, it shall be rectified. But I find it is the ordinance itself you are angry at. I know there is a sett of men who are so, but I must acquaint you that it is no private order of mine, but an ordinance past in Councill by H.M. speciall order to assert her right which some would have invaded. The officers of ye Customs shall have all necessary protection and encouragement from me in the execution of their duty, *etc.* *Copy*. 1 p.

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832. vi. Copy of report of the Acts of Trade relating to general entries (*v. iii.—v. supra*). 3½ *pp.*

832. vii. Petition of Capt. Charles Pinkethman, Commander of ye ketch *Samuel*, and Capt. John Marshall, Commander of ye sloop *Kingston*, two private ships of warr, to Governor Hunter. Complaint against Mr. Birchfield and delay in making a survey of their prize goods, *etc. v. No. iii. supra. Signed*, Cha. Pinkethman, Jno. Marshall. *Copy. 3 pp.*

832. viii. Copy of Journal of Assembly of New York, April 3–20, 1711. *Endorsed*, Recd. June 15, 1711. 2½ *pp.* [*C.O. 5, 1050. Nos. 19, 19 i—viii; and (without enclosures) 5, 1122. pp. 328–380; and 5, 1091. No. 33.*]

May 7.  
N. York.

**833.** Governor Hunter to Lord Dartmouth. *Acknowledges* letters of Sept. 8 and Oct. 28th *etc.* I have also recd. your Lordp's. by Mr. Dungan, who shall want no instance in my power toward the putting of his and the Lord Limerick's affaires upon a better foot; they are in great disorder at present. *Refers to enclosure.* In a word, the affaires of N. York are past all remedy on this side. These in the Jerseys admitt of ane easy one. It is but the removeing a few of the Council who's conduct has deserv'd it, and H.M. may depend upon a quiet government there, *etc. Refers to Palatines and unpaid bills as in preceding letter, and encloses addresses from the Assembly of New Jersey. Signed*, Ro. Hunter. 3 *pp. Enclosed.*

833. i. *Copy of No. 832.* [*C.O. 5, 1091. Nos. 69; and (duplicate) 72; and 73.*]

May 7.  
New York.

**834.** Governor Hunter to the Council of Trade and Plantations. After having finished my letter, last night arrived our third packett boat, which brought me ye honour of your Lordpps. of Jan. 29. I know not by what mistake that paper which relates to my Conference with ye Five Indian Nations was left out, *etc.*, but you will receive it with this. As to what relates to ye ordinance for establishing fees, it is impossible I can give yr. Lordpps. that satisfaction I wou'd by this packett, it being to sail in a few houres, only I think it is necessary to acquaint yr. Lordpps. that the table of fees in 1693 was never established by an ordinance, only a scheme sent from ye Assembly to ye Governor and Councill and never by them approved, altho' printed, soe that the Committee of Councill appointed to forme this ordinance, took little or noe notice of that scheme, it being very defective. All that I find concerneing it, is an order of the House of Representatives of Sept. 20, 1693 and an Order in Councill of the same day (*quoted*). I shall be able to give your Lordpps. by ye other packett (which goes in a fortnight) a more perfect account of that matter, *etc.* As to what your Lordpps. write concerneing ye Act for allowance to Representatives, I am sorry to find that it was confirmed, which I did not know before, and now can propose noe remedy. I waite with great impatience for H.M. resolutions in relation to this Government, for after what yr. Lordpps. have heard you

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will easily be convinc'd there is nothing to be expected from an Assembly, *etc.* Signed, Ro. Hunter. Endorsed, Reed. Read June 15, 1711. 2 pp. Enclosed,

834. i. An Account of Governor Hunter's Conference with the Indians at Albany, Aug. 7, 1710. *Present*: Col. Pr. Schuyler, Col. K. van Renselaer, Capt. Myndt. Schuyler, Robt. Livingston, Secy. for ye Indian affairs. Interpreted by Capt. Johs. Blecker. Some of ye Sachims of ye Five Nations and River Indians, particularly those lately come from Great Brittain, waited upon H.E. as soon as he came ashore, and told H.E. that they heartily congratulated his safe arrivall, *etc.*, bidding him heartily wellcome, and that all ye Sachims were not yet come, yet they could not be wanting in their duty to waite upon H.E. *etc.*, and presented him with a blak otter. They humbly request in regard many Indians are suddenly expected, that he would be pleased to prohibit the selling or giving of any rum, strong drink, wine or beer upon very severe penalties, because many mischiefs doth ensue upon the selling of strong drink to the Indians. H.E. told them he was glad to see them, and they might be assur'd of H.M. countenance and protection and would give ye necessary directions for ye prohibiting ye selling of strong drink, and that he would do anything that might tend for their future welfare and encouragement. The Sachims thanked H.E. for his condescension, and are emboldned to ask that the old Sachims, when they come to Schinnectady may have waggons to bring them to Albany, wch. H.E. was pleased to grant, *etc.* The Indians pray'd that dureing their stay provisions might be orderd more largely, for the allowance they had had hitherto before H.E.'s arrivall was very scrimp. H.E. told them, he would give directions that they should be taken care of and victualled as well as ever they had been formerly.

*Schinnectady, Aug. 9, 1710. Present*: Col. Pr. Schuyler, Col. Killian van Renselaer, Evert Banker, Myndt. Schuyler, Dr. van Brugh, Col. Jn. Schuyler, Robt. Livingston, Secy. The Interpreter, Lawrence Clace being come from ye Sinnekes country and ye rest of ye Five Nations westward, doth relate to H.E. what hath occur'd to him among sd. Indians in ye 3 months that he has been from Albany. That being sent to ye Five Nations to watch ye motions of ye French, and to perswade those Indians to give a free passage to ye farr Indians thorough their country to come here to Albany to trade, he was at Onnondage July 17th last, when Mons. de Longuillée and Monsr. Jeunker ye Interpreter and 10 other French wth. two Indians came thither from Canada, and made ye following propositions to ye Sachims of Onnondage, 4 Sachims of Oneyde, and ye said Interpreter Lawrence being pre-

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sent:—Children of the Five Nations, Some of our Indians lately come from your country to Montroyall inform'd us yt. ye English were design'd to renew the expedition agst. Canada, and come to distroy Quebeck, Mont Royall Troy River and all Canada, we are therefore sent by Onnondio, our Governor, to forbid you of the Five Nations to joyn with them upon any account whatsoever, and if you do, we will not only come ourselves but sett the farr Nations upon you to distroy you your wives and children root and branch, as for ye English we regard them not in ye least, we have had warr with them long enough and always prevail'd, therefore we warn you not to engage in their quarrell, if you have any compassion to your children's children, then you must not assist ye English upon any account, if you do, we tell you plainly we must distroy you, being now ready and fitted for that purpose, therefore be quiet and sett still, for ye English must not think to skare us by a faint or pretended expedition by comeing to ye Wood Creek to eat bisketts there soaked in stinking water, sure ye biskett would eat as well at Albany as there, the English have gott nothing by it but lost ground.

The Sachims seem'd to be divided in their opinions, and those Sachims of ye French faction prevailing made their answer to ye French agents without calling Laurence Claes the Interpreter to be present, neither did he hear what answer they made, only the Sachims told him they would comunicat their answer to the Governor of New York when they come to Albany. The Sachims told the Interpreter plainly, that except the selling of strong drink be wholly and solly forbid its impossible they can live in peace in their castles, they will be necessitate to seperate themselvs and break up and be no more a nation, and all the 5 Nations are of ye same opinion, and some of the 5 Nations are resolved to go to New York to request the Assembly to make a strickt law against it. The said Sachims of Onnondage told him farther, that they hoped the English would build a fort and garrison it well in their Castle, or where they thought fitt in their country, wh. would prevent all the French intragues, and desir'd they might have a smith to mend their arms at Onnondage and another at Oneyde.

*Propositions* made by ye River Indians and Skachkook Indians to Governor Hunter, Albany, Aug. 11, 1710:—(1) Father Corlaer and Quieder, we are glad to see you here, ye heavens were troubled before your arrivall, and ever since they have been clær and serene, we hope it will be ever so, *etc.*, did give a beaver skin. Father, I speak for our whole Nation, we have always been faithfull and obedient to this Government, and desire yt. ye Covenant Chain may henceforth be kept brighter and clearer than ever, gave a belt of wampum.

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(3) We take ye freedom to acquaint our father, that we we are afraid that ye enemy may annoy us, being bare and uncovered in ye place of our habitation at Skachkook, do therefore pray that you would graunt us your fatherly protection, and build a stockado fort there, gave a bever skin and 4 martins.

*Propositions* made by ye Sachims of the Five Nations to Governor Hunter, in ye City Hall of Albany, Aug. 13, 1710 :—Brother Corlaer, we were sent for by ye Commisrs. of ye Indian Affairs to be here to attend your Excellency in 45 days, and are accordingly come and are very glad to see your Excellency, *etc.*, We had not ye happiness to see our Brother wh. the Great Queen sent last year, meaning the late Lord Lovelace, he was snatched away before he could have time to send for us, *etc.* We wish you all imaginable joy and happyness in your Government. H.E. thanked them, and assured them of H.M. protection, so long as they shall continue faithfull and stedly to her Government and keep true to their Covenants.

*Propositions* made by the Sachims of the Five Nations to Governor Hunter, Albany, Aug. 14, 1710. Brother Corlaer, wee are glad yt. God has spared you from ye dangers of the sea, *etc.*, and yt. we see one another's face in peace, we are necessitat to make known to your Excellency our poor and mean condition, occasion'd by our people's being kept all last year and last winter from hunting to be ready on all occasions to assist our brethren as well in ye intended expedition against Canada as to oppose ye French, if they should have offer'd to make any attempt upon this Government, and so have caught no bever or peltry to supply our necessitys, do therefore pray your Excellency to order that our hatchets, kitles and gunns may be mended upon ye publick charge, especially since this our poverty has been occasion'd meerly by our obedience to this H.M. Government, this supplication is made with a sorrowfull heart and with tears in our eyes by all ye 5 Nations, did give 5 bever skins. H.E. thank'd them for their complement and commends them for their obedience and fidelity to ye Government, and expects that they will continue so, and then they need not fear of H.M. assistance and protection, and is willing to cause their hatchetts, kitles and fuzees to be mended, and doth therefore order that they bring such hatchets, kitles and guns as want mending to-morrow morning to the house of Robert Livingston, that ye trades men may be sent for to do ye work out of hand, and it will be requisit that one of each Nation attend there to see an exact account taken of them, that every body may have their own things back again.

*Propositions* made by Governor Hunter to the Sachims of the Five Nations, Albany, Aug. 16, 1710. I am glad

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to see so many of your Sachims come, with whom I shall be glad to treat off affairs for yr. wellfare and to renew the Covenant Chaine. Brethren, I was willing to take ye first uppertunity possible to meet you to renew ye Covenant Chain on behalf of all H.M. subjects on ye north Content. of America, which I do now in a most solemn manner, and doe assure of H.M. protection and assistance so long as you keep the same inviolable, and as a toaken of H.M. kindness to you for your former services to this Government, has sent by me a present to be given to you wh. you will now receive. I am inform'd that ye French of Canada have made it their continuall practice by their deluding Jesuits and other missionaries to draw you off from your fidelity to H.M. and to raise divisions among you, but I suppose ye long experience you have had in their malltreating, and ye many ill actions they have been guilty off, will be sufficient inducements to keep you firm to those that have always been your frinds, and to secure you from hearkning to any of their false insinuations, they have had some messengers lately in your country, I would fain know what propositions have been made to you, and what answer ye French receiv'd to their message, and why ye messenger of this Government who was then at Onnondage was not made acquainted with your answer to them. I desire also to be inform'd what you know of the French transactions with their Indians, and what expedient you can propose to bring them off. I am glad you are now sinceible that it is for your advantage and security that ye Farr Nations have a free passage throu your country to come and trade here, you could not see throu it at first, but ye only way to strenthen you and us, and weaken ye enemy is to have as many brought into ye Covenant Chain as possible, and therefore I must exhort you to persist in that resolution, and give ye farr Indians all suitable incouragement imaginable, as you see the Great Queen to strenthen this Government has been pleased to send a great number of people with me to setle here. Those of your Nation who have been lately in England, have made it their application to ye Great Queen to send missionaries amongst them to instruct them in ye religion and worship of ye son of god, the Savior of ye world, I desire to know whether you approve of it, and if you will be satisfied to have a garrison planted in one or more of your castles, and a chapel or chapels built there, and ye place fortify'd for your defence and protection. That to convince ye great Queen and her Govr. under her of ye sincerity of your intentions in your allegiance and fidelity, you will for the future receive no french priests or emmisaries amongst you, else we must not look upon you sincere in yr. promise of keeping ye Covenant Chain bright, I am

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concern'd to hear ye complaints of severall of the inhabitants that live above Schinnectady, who suffer'd much by your young men's killing their creatures last year, and plundring their houses, this is not acting like brethren and frinds. I hope you will take care that no such abuses be committed for ye future. I understand that divers of your people design to go out a-fighting against the flatheads, who have not injured you, and are a peaceable people. It is better for you to hunt neer home, since you know not what designs the French may have against you. By the last Fleet that came from great Britain to Boston H.M. sent some troops to act offensively against ye common enemy, and some more ships are speedily expected, by wh. we may have some news, therefore it wil not be adviceable for ye brethren to go farr from home, not knowing what occasion there may be to joyn our forces together. Your brethren who have been in England and have seen the great Queen and her Court have no doubt inform'd you how vain and groundless the French boasting has been all a long, how our great Queen's armeys have year after year routed all his forces, taken his townes, and is at this time near his principall town and seat of Government, H.M. has sent them as a pledge of her protection, and as a memoriall to them of their fidelity a medall for each Nation with her royall effigie on one side, and ye last gain'd batle on ye other, wh. as such she desires may be kept in your respective Castles for ever, she has also sent her picture on silver twenty to each Nation to be given to ye chiefe warriors, to be worn about their necks as a token, that they shall always be in a readynesse to fight under her banner against the common enemy. The Sachims of ye Five Nations were told that H.E. had order'd them a live bullok for each Nation besides bread and other provisions, wh. they might dispose of as they thought fitt. The presents that were given to ye Five Nations were, 100 fuzees, 1000lb powder, 2500 flints, 5 pr. strouds, 2½ pr. blankets, 2 pr. duffels, 20 doz. knives, 50 looking glases, 75 shirts, 25 kitles, 70 hatchatts, 25 lb. paint, 500 barrs of lead, 5 gros of tobacco pipes, 150 lb. tobacco.

*Propositions made by Governor Hunter to ye River Indians and Skaahkook Indians in Albany, Aug. 17, 1710.* Children, I thank you for your kind congratulatory proposition. It shall not be wanting in me to give you all incouragement imaginable, and I am directed by ye Great Queen to assure you of her assistance and protection, so long as you shall behave yourselvs obedient and faithfull subjects, and be ready at all times to fight under her banner against ye common enemy, and as a token of H.M. kindness to you for yr. past services to this goverment and future

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encouragement, she has sent a present with me wh. you will now receive. I came up to Albany as soon as I could conveniently to renew the Covenant Chain, wh. I do now with you, my children, in ye behalf of all H.M. subjects on ye North Continent of America, in the most solemn manner, not doubting the continuation of your fidelity and obedience, wh. will ever be attended with a suitable reward from me, and to remove your fear of ye enemy's annoying you, by being bare and uncover'd in ye place of your habitation at Skaahkook, I will cause to build you a stockado fort for yr. security, and must exhort you to keep together, and not to suffer your people to stragle, but use all endeavors to encrease your number by perswading those that have left you to return to their ancient habitations. You see the care H.M. has of this Province by sending so many people with me to settle here, and ye more numerous her subjects are, ye lesse you need to fear ye incursions of ye enemy, however be watchfull, and let not ye french or their emissaries lull you asleep, but be upon your guard, for ye security of yr. wives and children, and not to go too farr a hunting, but be neer upon occasion, there being already severall troops come from great Brittain to Boston by ye last fleet, and more ships being expected, we know not how soon there may be occasion of joyning our forces together. I hear you have for ye present no more Sachims at Shaahkook but one, the others being dead. I must recommand to you to nominat two other fitt persons for that station, and I will confirm and ratify your choise provided they be fitt and qualified for that office. The present given to the River Indians was :—15 fuzees, 1 pr. strouds, 6 blankets,  $\frac{1}{2}$  pr. duffels, 3 doz. knives, 8 kites, 1 barl. powder, 100 bars of lead, 100 flints, 20 hatchats,  $2\frac{1}{2}$  lb. of paint, 30 lb. tobacco, 1 gros of pipes.

*Answer of ye Sachims of ye Five Nations to Governor Hunter in Albany, Aug. 19, 1710.* Brother Corlaer, wee are very glad that ye great Queen has been pleas'd to appoint a person whose charecter is not only to be a good man and a good souldier to be Governor over ye Christians and Indians in this country, and doubt not but shall live all happy under your administration, etc. Some of our Brethren have been lately in England, and altho' they were natives of ye Mohogs' Nation, yet we are as well satisfy'd as if there had been one from each of ye 5 Nations, being all united ; they have seen ye Great Queen and her Court, and been very well treated, for wh. we are very thankfull. You thought it requisit as soon as possible to call us the 5 Nations together to renew ye Covenant Chain, wh. was very gratefull news to us all, being glad of ye uppertunity, wh. ancient Covenant Chain we renew most solemnly with all H.M. subjects on ye north Continent of America, assuring you it shall be

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kept inviolable by all our 5 nations as long as the sun and moon endures. As to the supplication made to ye great Queen by those of our nation that have been lately in England concerning missionaries to be sent amongst us to instruct us in ye Christian religion, we approve of it very well and are very thankfull for ye offer, and not only be glad to see a garrison of souldiers planted in each of our Castles, wh. lye very much exposed to ye insults of ye enemy (by whom they are surrounded on all sides) but should be glad to have some of ye people go along with us now to begin to work, wh. would be a great security for our wives and children, and should rejoyce also to have missonaries there to instruct us in ye religion and worship of Jesus ye son of god and Savior of ye world, but we know yt. cannot be had so suddenly, since they must come from Great Brittain, but as soon as they can be gott, we hope you will make chapels for them in each of our Castles where we will receive and treat them as well as we are able, and we think it would be highly requisit to have a Christian Sachim in each of our Castles to take notice what is transacted there and defeat ye French intreagues. Wee hope we have given H.M. and her Governors sufficient testimonies of ye sincerity of our intentions, and of our allegiance and fidelity, and shall be willing to demonstrate it further in ye not receiveing or harbouring any of those dangerous people ye Jesuits in our castles, and shall discharge all our people from receiving them, but ye most effectuall way to be rid ym. is by planting garrisons in our castles, by building of chapels and supplying them with missionaries, and therefore ye sooner that be put in execution the better, especially the fortifying of our castles. You are pleas'd to forwarn us not to fight against ye flatt heads, but to hunt neer at home and secure our wives and children, and to be ready on all occasions to go agt. ye common enemy, in regard H.M. has sent severall troops by ye last fleet to Boston to act offensively agst. ye french, and more ships expected by wh. we may have some news, we promise to obey your commands, and to be near at home, not knowing how soon there may be orders from ye great Queen to joyn our forces together. You are desirous to be inform'd how ye French Indians are dispos'd, and what expedient we can propose to bring them off, the brethren have often tryd that, we have tryd it likewise, but found all means hitherto unfectuall, nevertheless we must not dispare, but try again and we hope you will do ye same, if peradventure we may prevail with them at last to come and live in the land of their nativity. You are pleas'd to commend us for opening a path for ye Dawaganhas and other farr Indians, to come through our country as far as Albany,

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where Corlaer and Quieder dwells to trade, wh. we will be always willing to incourage, but ye Brethren here can do more then we to promote yt. trade, and that is by giving good pennyworths, yea cheaper then we ourselves, and yt. will be an infallible way to draw them, for we are used to buy dear, ye traders always alledging that bever is a drugg. The great Queen of England has been pleasd as a pledge of her protection to send each of our Nations a medall, wh. we have received with all ye satisfaction imaginable, and will keep ym. ever in our Castles, and bring ye same down when any publick and solemn conferences are to be held to show ye same, we are also very thankfull for ye 20 peeces of silver, wh. our chief Cpts. shall wear about their necks, and shall always be ready to fight under her banner agst. ye common enemy. We are sorry to hear such complaints of our young people doing mischief to ye people's catle that live above Schinnechtady, we shall endeavor to prevent all such irregularities for ye future as much as possible. We have done with answering your proposition, except that part wh. relates to ye french agents yt. have been lately in our country, which we will impart to your Excellency anon in ye house, and so shall conclude by praying your Excellency to interceed with H.M. that goods may be cheaper, and bever dearer for ye traders give so litle that it is not worth ye while to go a hunting for them, and gave a few bever and drest deer skins. They gave four beavers skins to condole ye death of Mr. Lydius, late minister of Albany, who dyed last winter. A Sinneke Sachim stood up and said, There was an intended expedition last year against Canada, in which Lt. Gerrit Luykasse happen'd to be kild in ye Lake, whose death they condole by giving a scalp and 4 bear skins. When ye Sachims were come into ye house Kaquendero ye Speaker proceeded making a long harrangue after ye Indian manner when any repetition is made, and said that Monsr. Longuille and Jeunkeur and some French which then had been in Onnondage lately, and proposed that they had been inform'd by 2 Indians that were come from Albany yt. ye expedition agst. Canada would be reviv'd, and that ye governr. of New York had given ye hatchet into ye hands of ye Five Nations. the sd. messengers said they could not beleive it, but ye Governor of Canada could do no less then send them to enquire about ye truth of this matter, and tho' we find that it is nothing but a story, yet we must tell you that if such a thing should happen, you reject any such proposall, for that would be ye ruin of your children's children. Lett the French and English that have had warr so long together, let them fight. Butt ye Indians must sitt still and be quiet, and if you take up ye hatchett agst. us, ye Govr. of Canada

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doth acquaint you by us, that he is ready to come and rout ye 5 Nations, and will come like a whirlwind among them, and distroy them and all their accomplices, root and branch, nay he will leave off pursueing any other enemy, and wholly send his force against ye 5 Nations, therefore we exhort you to sett still, and not medle with ye war in ye least. He the said Sachim gave ye French messengers no other answer but this, that they exhorted him to sitt still and be quiet, as he exhorted them, neither would they give any answer to that article relating the hatchet, and so dismissed them.

At a Conference of the Commissioners of the Indian affairs, and ye Sachims of ye 5 Nations in Albany, ye 19th Aug., 1710. The Governour has desired us to acquaint you that he has received an account yesterday from New England that ye french Indians continue to comitt great barbarities upon ye poor innocent people, your Brethren in N. England, who are in ye Covenant Chain, we are therefore desirous to know what expedient you can propose to prevent such cruelties. The Indians answer, Brother Corlaer and Quieder, We were told after ye propositions were over to-day that ye Sachims of each Nation should meet ye Gentn. this evening to consult about this importune affair, upon which we answer that ye Governour of Canada doth not only committ ye same upon our people year after year, but setts ye farr Nations upon us, who distroy many of our people, we have apply'd to him with belts of wampum frequently, but could never have any redress, and about 3 or 4 years ago we sent severall Sachims to Canada to procure a cessation with the farr Indians, and he told us that it was not in his power to grant, but he would write to ye French King his Master and give us an answer when ye strawberries were ripe next spring, but the strawberries have been ripe over and over, and we could never gett an answer to this day, therefore we must desire to be excused in this matter, and referr ye whole bussiness to Corlaer, meaning H.E. the Governor, to do therein what he shall think convenient, as for our parts we can do no more but we have done, and shall be glad to hear what conclusion ye Brethren do take in this affair before we return to our Castles. The Gentn. told ye Sachims they would acquaint H.E. with what they said, and they should have an answer before their departure.

Propositions made by the Sachims of Oneyde to H.E. in Albany, Aug. 20, 1710. Brother Corlaer and Quieder, Wee are come to your Excellency to request that we may have a smith in our country, being resolved to build a castle to perserve our wifes and children from ye insults of ye enemy, being scituate in a dangerous place, where we are surrounded by the enemy on all hands, and when

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we are a building ye Castle with stockados, if our hatchets break, it will be hard to gett them mended, we therefore desire yt. yr. Excellency may lay it before ye Assembly and that we may have an answer when the Assembly breakes up, we propose to pay ye smith for his labour as much as is pd. by ye Christians here to their smiths, for what ever he does, we hope yr. Excellency will take our case into consideration, since we have allways shoven ourselves obedient to ye commands of the Govrs. of this Province, and shall allways be ready to obey what orders your Excellency shall be pleas'd to injoyn, did give 18 drest deer skins and one bear skin.

H.E. told them that he had a perticular regard to ye Nation of Oneyde, whom he was inform'd by everybody had alwayes been ready and willing to obey what was commanded them by this Province, that all endeavours should be used to comply with their request, *etc.*

Propositions made by ye Maquase to H.E. in Albany, Aug. 20, 1710. Brother Corlaer, There is something forgott in ye publick propositions yesterday, wch. is this, when we were in England we proposed to ye great Queen to have a Minister for us Maquase in our Castle, and ye Queen was so gracious to propose yt. we might have two, whereupon we were very thankfull and told H.M. if she was pleas'd to graunt two, there was one Mr. Freeman who had been Minister of Schinnechtady was well vers'd in their language, and a proper person to instruct them in the Christian religion, and ye Queen was pleas'd to approve of it, we doe therefore pray that we may have him in ye first place till ye other come from England, and that he may live in our Castle, and not at Schinnechtady or Albany. H.E. answered that he is very willing, if Mr. Freeman can be prevail'd withall, that he should go and instruct them in ye Christian religion in their own Castle in ye Maquase country, and will promote his being confirm'd at home in that station, so that nothing shall be wanting in him to encourage so good a work, that H.E. had not received the necessary orders relateing to missionaries as yet from England, wch. he expected dayly, and as soon as he receives ye same will acquaint them therewith.

Albany, Aug. 20, 1710, the two Sachims of Shaachkook waited upon H.E. and said, that they thanked H.E. for his care of their wellfare, that they had 3 old men that were Sachims call'd Walighlawit and Nawekatekum, but yt. they wanted two Capts. to be added to aspenot, wh. they propose may be Quinepau in ye room of Wannescakakis that is dead, and Patekoquasck in ye room of his brother Minichque, wh. two Capts. H.E. approved off, *etc.* The Sachims did thank H.E. for his care in appointing a stockado fort to be made at Skaahkook, which they hope will be a means to draw

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back their Indians to come and settle among them, they gave a string of wampum. *Signed*, Robt. Livingston, Sec. for ye Indian affares. *Endorsed*, Recd. June 15, 1711. 16½ pp. [*C.O.* 5, 1050. *Nos.* 20, 20 i; and (*without enclosure*) 5, 1122. pp. 385-388.]

May 7.  
New York.

**835.** Governor Hunter to Mr. Secretary St. Johns (*sic*). Having acquainted my Lord Dartmouth with the unhappy state of H.M. Governmt. here, I will only beg your concurrence towards a remedy. If I am a sufferer, I have that to comfort me that I suffer in and for the service of the best of Princes *etc.* I gave you the trouble of a line by John Kiel. I recommended him to you for an imployment which is indeed an handsom one, but of fatigue and labour, that was the Secretary's office of the Jerseys. I understood afterwards from himself that he had a mind to ask for another, that of Surveyor Genll. of this Province. Had I known when he went over what I now know, I would have made it my earnest request to put him into that office, for Mr. Birchfield the gentleman who was put into that office when I had the honour of the Government, has taken it into his head which I'm afraid is not very sound, to make every body and every thing uneasy here, *etc., etc.* *Signed*, Ro. Hunter. 1½ pp. *Enclosed*,

835. i. [? Address of Assembly of New Jersey to Governor Hunter] laying following charge against Judge Pinhorne. *Endorseil*, Recd. 15th, Read 26th June, 1711. ¾ p.

835. ii. Affidavit of Thomas Farmer, confirming following charge against Judge Pinhorne. *Signed*, Tho. Farmer. Feb. 10, 1710. ¾ p.

835. iii. The case of Thomas Gordon. (*cf.* C.S.P. 1707. 963 ii.) In 1703 Thomas Gordon was by the Proprietors of ye Eastern Division of New Jersey commissioned their Register. On Aug. 25, 1705, my Lord Cornbury and his Council made an order that he should deliver all ye publick records in his hands to Jeremiah Bass, Secretary of the Province, with wch. order Mr. Bass served him at Shrewsberie. Mr. Gordon answered ye records were at Amboy, so could give no positive answer till he came there, on which Mr. Gordon was by Capt. Andrew Bown, then one of H.M. Councill, committed to ye Sherrieff's custody, where he remained till he gave £2000 baile to answer the Governor and Councill at Amboy Oct. 4 following, the Assembly being then to meet there, at wch. time Mr. Gordon was very much threatned and abused by my Lord Cornbury for refusing to deliver said Records, to wch. he answered he could not deliver them till ye Proprietors had notice, and after ye Proprietors had been severall times heard before ye Govr. and Councill, they were at last delivered by order of ye Councill to Mr. Bass. Att the Supream Court at Burlington in May 1707, Mr. Gordon was suspended from practising as an Attorney at Law without any cause assigned. In Feb. 1706 Mr. Gordon being in-

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formed that warrants were issued out for apprehending of him, he writt to Mr. Shipheard who was then a J.P., that if he would admitt him to baile he would give baile for what summe he pleased to answere everything that should be objected against him, to wch. Mr. Shipheard sent no answere till Feb. 1707, and then he sent him notice that he had procured liberty to admitt him to baile, and accordingly he gave baile immedately, and at May Court 1708 at Burlington he appeared and was discharged by proclamation, nothing appearing against him, and within 3 days after ye Court, the Assembly satt at Burlington and Mr. Gordon was chosen Speaker, and within 3 days after that ye Assembly was adjourned and about halfe an houre after ye adjournment Mr. Gordon was againe committed by my Lord's own warrant upon ye same pretence for wch. he had been discharged, and was kept by ye Sheriff 15 houres in custody, and when he applied by his friends Thomas Farmer Esq. to Judge Pinhorne for a Habeas Corpus, he was denyed till he should apply by his Councill at Law, on wch. Mr. Gordon was forced to imploy Capt. Pinhorne ye Judge's son (there being no other Attournies then in towne) to procure him his Habeas Corpus, for which he paid 30s., notwithstanding he drawed ye writt himselfe, and was admitted to baile, and appeared at ye next Supream Court at Amboy in Nov. 1708, where he was againe discharged by Proclamation, nothing appearing against him. Continued still suspended to ye great loss and ruin of himselfe and numerous family (having a wife and 7 small children and no other way to maintain them) untill ye happy arrivall of My Lord Lovelace in Dec. 1708, who admitted him againe to practise ye Law as formerly. *Signed*, Thomas Gordon. 1 $\frac{1}{4}$  pp.

835. iv. Address of the General Assembly of New Jersey to Governor Hunter, charging William Hall, one of H.M. Councill and Judge of the Inferior Court of Common Pleas for the County of Salem with high crimes and misdemeanours, and praying for his removal. *Copy*. 1 p.

835. v. Charges against William Hall, referred to in preceding. (a) He has extorted unwarrantable fees at several times. (b) One Thomas Barlett, brought before Hall for theft, was discharged by Hall when, induced by the threats of him and others, he had bound himself by indenture to serve Simon Morgan for 3 years. (c) One Francis Godbolt and Ann, his wife, were brought before Hall and William Dare, and Godbolt threatened with a charge of burglary, and through feare thereof consented to bind himselfe by indenture (but not his wife), with which sd. Justices not being satisfyed, Godbolt and his wife were, upon confession of their theft, committed to gaol, until

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they were admitted to baile by Mr. Hall, and ye prosecutor Morgan (Dare's son in law) became their surety, who some time after delivered them up to Hall, for that he would be no longer bound for them, who thereupon discharged them without any further prosecution. Sometime afterward Godbolt was by Hall sold aboard of a New England sloop and transported out of ye Province, the woman at ye same time continouing servant to Hall. (d) One John Reeve having lost 4 barrels of flower, Hall took them up adrift in Delaware River, near Gloucester, and sold ye same in Moris River, and denied knowing of it, but at last ye man coming to ye knowledge of his flower, Hall paid him for it.  $1\frac{1}{4}$  pp.

835. vi. William Hall to Governor Hunter. *Reply to preceding.* (a) I may have made a mistake of 5s., but restored it as soon as I was made sensible of my error. (b) The 2nd. article appears a confused dream, and is wholly false. The truth is Bartlett was indebted to Morgan for money lent him to release him out of gaol, and this was the ground of his becoming bound to Morgan, etc. (c) So with Godbolt, who still continues bound over upon his own recognizance. I accepted their service in payment of a debt of £6. (d) The flour was taken up by the master of my sloop. I was fast asleep in the cabin when Reeves called, etc. *Signed*, Wm. Hall. 5 pp.
835. vii. Copy of Mittimus, for the commitment of Francis and Ann Godbolt, Feb. 10, 170 $\frac{9}{10}$ . *Signed*, Wm. Hall, Wm. Dare, Justices.  $\frac{3}{4}$  p.
835. viii. Copy of recognizance entered into on behalf of Francis Godbolt by Godbolt and Simon Morgan Feb. 20, 170 $\frac{9}{10}$ , and terminated by Morgan March 13.  $\frac{3}{4}$  p.
835. ix. Copy of recognizances entered into by Francis and Anne Godbolt and Simon Morgan on behalf of Anne Godbolt. Feb. 20, 170 $\frac{9}{10}$ .  $\frac{3}{4}$  p.
835. x. Copy of deposition of Benjamin Wright concerning the case of Thomas Bartlett and Francis and Anne Godbolt. *Signed*, Benj. Wright, Burlington, Jan. 23, 1710.  $1\frac{1}{2}$  pp.
835. xi. Copy of deposition of Francis Godbolt confirming No. v. (b) (c) *supra*. *Signed*, Francis Godbolt, his mark.  $1\frac{3}{4}$  pp.
835. xii. Copy of deposition of John Reeve, Jan. 9, 1710, confirming No. v. (d) *supra*. *Signed*, John Reeve, his mark. 1 p.
835. xiii. Copy of bills of costs in the case of Alex. Grant v. Wm. Gregory, and Queen v. Robert Rumse, drawn by Wm. Hall.  $1\frac{1}{2}$  pp. Nos. iv-xiii. *endorsed*, Recd. 15th, Read 26th June, 1711.  $1\frac{1}{2}$  pp.
835. xiv. Memorial of the House of Representatives of New Jersey to Governor Hunter, setting forth some instances how justice has been perverted in the Court of Law and divers guilty persons escaped with impunity :—Att the Supream Court, Nov. terme 1708, Peter Sonmans, one

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of H.M. Councill and a Judge of ye sd. Court, and Judge of ye Inferior Court of Pleas in ye County of Midx. was indicted by Grand Jury of Midlx. for perjury and adultrie. Jeremiah Bass, Secretary, was indicted for perjury and forgery. May Bickley, gent., was indicted for barratrie. Jacob Arents was indicted for taking Mr. John Barclay on Whit-sunday as he was a coming out of ye Church from ye Holy Communion. Elizabeth Arnald, late servant to Samuell Jennens was then alsoe indicted for adultery with said Sonmans, who still continous with their bastard at his house in Perth Amboy. The next Supream Court being May terme was held at Burlington. Before August terme 1709, the Sherfff of Midlx. received from ye Attorney Generall *veniries* for summoning of juries and subpcenas for evidences to try ye above-mentioned persons upon ye sd. indictments, all weh. writts were made returnable at ye sd. Supream Court to be held at Perth Amboy ye 1st Tuesday of August, but ye 1st. day of ye sd. terme was not till ye second Tuesday of the said month. The then Sheriffe, Mr. Adam Hudd, returned all ye sd. writts to ye Attorney Genll. at Burlington and desired they might be amended, which was done, but at that August Court it was objected that non(e) of ye sd. writs had been touched with ye seale by Mr. Bass after they had been altered, so all the tryals were put of, weh. may be presumed to be done with designe, as will appeare by what followes, that they did not like to have juries empanalled by Mr. Hudd, then Sherriffe. New *veniries* and *subpcenas* were sent to Mr. Hudd by ye Attorney Genll. before November terme, 1709, and ye juries and evidences were summoned and ready at ye Court to try ye sd. indictments, but then at that Court Mr. Barefoot Brumson produced a Commission for Sheriff tho' ye former Sherriff's time was not expired by allmost 3 months and no objection had been made against him in ye execution of his office. The Court would not take upon them to determine weh. of the Sheriffs ought to act and drilled ye matter along without determining weh. Sheriffe should till the last day of the terme when all ye juries were discharged by ye Court, and then ye Court did accept ye returnes of writts made by Adam Hudd, by weh. proceedings none of ye aforementioned indictments could be then tried. Before May terme 1710, a bundle of *veniries* for summoning of juries and *subpcenas* for evidences to try ye sd. indictments were sent open to ye Post Office at Amboy directed to Sonmans and by said Barefoot Brumson then Sheriff of Middx. a Jury was prepared who tried ye sd. actions at Burlington, weh. jury may be reasonably presumed to be pick and packt on purpose. Capt. Bond ye storekeeper in New York Fort was brought down and made one of them, a person who has been

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known to be made use of as a surveyor by a pretended power from Sonmans, at whose house ye last summer ye sd. Elizabeth Arnald was brought to bed of another bastard, and who also claimes ye being a freeholder in ye sd. county of Middlx. by a title derived from Sonmans. The evidences whose names were indorsed upon all ye indictments were not subpœnad, so that all ye criminalls escaped without punishment for their faults and detestable wickedness and reasonably may be supposed by a combination of those whose ducty it was to have punished them.  $1\frac{1}{2}$  pp.

835. xv. Petition of Elizabeth Parks, widow, to Governor Hunter. Petitioner's husband, Saml. Parks, did in Nov. 1706 agree with Sarah Leonard, widow, and Saml. Leonard, her son, for a small tract of land on ye West side of South River Bridge, on wch. he built a house in wch. petitioner kept an house of entertainment. In Aug. 1709 Peter Sonmans pretended he had a better title to ye sd. land then Mrs. Leonard and her son, did perswaid petitioner's husband much against petitioner's inclination to break his agreemt. with ye Leonards and take a lease of Sonmans for 3 years. In March 1709 he died, leaving petitioner in debt, and without any way of livelihood but by retailing a little drink in said small house. In May, 1710, at night, Peter Sonmans together with Stephen Philips, Anne Prigmore, Henry Penry, and Jonathan Drake came to petitioner's house, and after much talk and threatnings, Sonmans took petitioner, an old poor woman and then very lame, by ye shoulders and forced her out of ye house together with Joseph Collins, who then lived with petitioner. Petitioner is informed that there is not a Justice of the Peace in ye Countys of Middlesex and Sumersett that will take upon him to put yr. petitioner in possession again as by ye law she is advis'd she ought to be, for fear of disoblidging Mr. Sonmans. *Prays H.E. for relief, etc. Signed, Elizabeth Parks.*  $1\frac{1}{2}$  pp.

835. xvi. Peter Sonmans to Governor Hunter. *Reply to preceding.* Petitioner's husband prayed me to grant him a lease, sadly complaining he had been trick'd by the Leonards. By virtue of a clause in the sd. lease, to prevent a treacherous trick by ye petitioner and Leonard concerted against me, being then at Burlington, I sent a warrant of Attorney to Penry to reenter upon ye sd. land and keep ye possession thereof for me untill further order, wch. he also did peaceably and quietly, but Leonard with other accomplices afterwards endeavour'd by force to dispossess Penry, or some other yt. he had left in possession, and very evilly entreated them. The matter of fact is so well known, that petitioner's only hope was that your Excellency would restore her to possession without further enquiry, etc. *Signed, Peter Sonmans, Burlington, Jan. 29, 1710.*  $2\frac{1}{2}$  pp.

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835. xvii. Petition of Elisha Parker to Governor Hunter. One John Allen, a servt. of petitioner, being summoned to appear last night before Peter Sonnmans at ye suit of one Henry Ralph for impounding a mare pretended to be Ralph's, petitioner desired on behalf of his servant that plaintiff might prove ye beast to be his and yt. defendant had impounded it, wch. was denied ; as also yt. defendant's oath might be taken or yt. he might have time to bring his witnesses, wch. was denied ; and ye sum being laid so low (wch. petitioner beleives was purposely done) that petitioner could not apeal, your petitioner then desired he might be tried by a jury of his peers, wch. is ye happy priviledge and birthright of every English subject and allowed by ye Common law and Magna Charta, wch. was allso denyed. On wch. proceedure petitioner could not forbear saying, he was afraid he had not justice done him, for wch. Sonnmans caused him immediately to enter into recognizance with sureties for ye good behaviour, wch. he esteems a great oppression and injury to a trading man, *etc.* Many other of H.M. loyall subjects, who are not Mr. Sonnman's particular friends, nor cannot follow his dictates are thus hardly treated by him, *etc.* *Prays* for relief. *Signed*, Elisha Parker.  $1\frac{1}{2}$  pp.
835. xviii. Peter Sonnmans to Governor Hunter. *Reply to preceding.* Parker's statements are untrue. Henry Rolph produced the poundkeeper's receipt, showing the beast was his, and Allen knew very well what he was summoned for. I bound Parker over for abusing the Queen's authority *etc.* *Signed*, Peter Sonnmans. Burlington, Jan. 29, 1710. 5 pp.
835. xix. Petition of Freeholders of Middlesex, New Jersey, to Governor Hunter. *Praise* the Union with Scotland, *etc.* In a late election at Woodbridge, Sonnmans, an alien born and a bankrupt in England, tho' unworthily dignified with honorable. officers in ye Govermt., endeavoured to disunite the affections of the people, by publicly declaring we will not goe to North Brittain for justice, no Turkish Governmt. no French Govermt., no arbitrary Govermt., Liberty and Property. For ye more effectuall accomplishing of his sinister designs, he indeavoured to overaw the Electors, he dared ye Sherriffe to sett up Capt. Farmer as a candidate, and ordered him to take Mathew Moore into custody, and told Mr. Stilwell in a threatening manner at ye time of ye poll that he had his name down, *etc.* We shall pass in silence sevell. enormous crimes wch. he escaped with impunity by ye death of ye Lord Lovelace, *etc.* *Signed*, Allen Callwell, Tho. Redford, Jno. Molleson, Jeremiah Feild, Robt. Webster, Robt. Grachrist, Will. Layng, John Campbell, Daniel Blackford, Wm. Sharp, Elisha Parker, Danl. Stillwell, Robt. Wright, George Cumin,

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George Brown, Tho. Leonard, John Campbell, Mathew Morris, Henry Poten, Wm. Harrison, Edwd. Harrison, Tho. Grub, Michael Eighten, John Feild, John Harrison, John Scott, John Foreman, Henry Knapp, Adam Hude, Saml. Leonard, Geo. Willocks, John Barclay, Jno. Rudyard, Tho. Farmar, Judiah Higgnes, Tho. Wetheril, John Brown, Will. Oulden (his mark), David Herriott, Alex. Walker, Will. Thomson, John Mathie, Wm. Frost, John Picke, John Bishop, Tho. Pike, John Adie, Richd. Cutter, Benj. Cromie, John Foord. 2 pp.

835. xx. Petition of Freeholders of Middlesex and Somerset, to Governor Hunter. Charge Peter Sonmans with perversion of justice, threatening at elections *as preceding*, keeping infamous women in his house *etc.*; he binds persons over from Court to Court; names and alters Grand Juries so that although the number of 12 doth not present, it is sustained, and ye prosecution goes on, and when cleared by a petty jury, ye charges are to pay, as in Stillwell's and Parker's cases; he seeks after complaints and indeavours to procure presentmts. without any, as in the case of John Rudyard, Margaret Parum, Wm. Frost, Wm. Thomson, *etc.*; he takes upon him to be judge in his own case, as in the case of widow Parks (*supra*), Ogdon, Pike, *etc.*; he refuses in small causes to take oaths or allow time to produce evidences; gives sentence and refuses writs of error, as in Capt. Parker's case (*supra*), so yt. by many unjust actions it's easie to ruin any person he bears a prejudice to by 40s. at a time; he endeavours to postpone justice, as in ye case of Capt. Parker and Richd. Soaper, by sending away Justice Tune-son, and then pretended want of a sufficient number of Justices, when at ye same time he made rules and did other acts of justice in ye Court of Common Pleas. When some friends of his are concerned and complaints are made to him, he will refuse to act in his office and desire upon such complaints to go to another, as ye case of Wm. Moor and Paulus Ricant, when Ricant was like to have killed Moore, Ricant being a person that then served him. His justice and partiality in genll. is so evident that when by his indirect meanes he cannot draw persons to his side, they are sure either under ye pretence of being a genll. agent for ye Proprietors (weh. has sufficiently appeared yt. he is not) or by virtue of those powers he is with submission unworthily dignified, he warpes ye laws to oppress and impoverish ye inhabitants, imposeing upon some ignorant tho' well meaning persons that are joyn'd in commission with him and upon others who have not a competent knowledge of the English tongue to understand ye law or custom of an English Government. *Pray for relief. Signed,* John Harrison, John Molleson, Saml. Leonard, Tho. Wetheril, Wm. Harrison, John Willson, John Runian, Wm.

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Frost, John Mathie, Tho. Gruf, John Feild, Wm. Oolden's *mark*, Daniel Blackford, Robt. Webster, David Herriott, John Brown, Wm. Thomson, John Rudyard, Alex. Walker, David Walker. *Confirmed by the following* Committee of Freeholders of Woodbridge, chosen at a publick towne meeting to represent their grievances, *Signed*, John Pike, John Bishop, John Ford, Elisha Parker.  $3\frac{1}{4}$  pp.

835. xxi. (a) Case of John Barclay. In 1704 he was commissioned by the Proprietors of the Eastern Division Receiver General of their quit-rents. On Aug. 24, 1705 Peter Sonmans produced before the Governor and Council a Commission from several of the Proprietors residing in and about London appointing him their Agent and Receiver Generall of their Quit-rents, *etc.*, on which proclamation was issued out on his behalf, in wch. commission it was expressly provided that any person producing another commission under ye hands and seals of 5 Proprietors of part of ye Eastern Division, and who shall reside in or near London, before ye Governor and Council, then said commission of Sonmans should thereafter be utterly void. On Nov. 7, 1707, Barclay produced before my Lord Cornbury and Council a commission for Receiver General of said Proprietors' quit rents, signed in London, May 10, 1706, under the hands and seals of 10 of ye Proprietors of part of said Division of said Province residing in or near London, which vacated Mr. Sonmans' commission, but Mr. Barclay's was most unjustly and maliciously kept and detained from him by my Lord Cornbury and Council, *v. following. Signed*, John Barclay.  $\frac{3}{4}$  p.
835. xxi. (b) Order of Council of New Jersey, Nov. 7, 1707. Ordered that Mr. Barclay's Instrument (*above*) be transmitted home and laid before H.M. *Signed*, J. Bass. *Copy*.  $\frac{1}{2}$  p.
835. xxii. Gawine Lookhart to Governor Hunter. Perth Amboy, Oct. 21, 1710. *Returns thanks for* appointment as Sheriff of Middlesex and Somerset Countys. I was invested with ye office of Sherriffe ye 19th inst., and Peter Sonmans had received H.M. writts for sd. countys to elect representatives to meet your Excellency in Genll. Assembly, upon wch. day Mr. Sonmans had appointed a meeting of ye Justices and late Sherriffe at Piscataway, hearing thereof I went there to execute indentures with ye late Sherriff, but finding neither Mr. Sonmans nor him there, and hearing they were at the house of Mr. Langfield, I sent and by a letter demanded ye writts, *etc.*, but before my letter could reach Mr. Sonmans, he received indelligence of my being at Piscataqua, went immediately to ye house of one John Horner, ye Father in law of ye late Sherriffe, to whose house next day I went, and was informed by his wife that he was gon out of ye

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Easterne Division, by wch. and divers other reasons I'm induced to believe he is absconded with intencion to carry on som sinister designs and undue elections. I have therefore given notice by divers advertisements in said countys to prevent ye unhappy consequences of such proceedings, and humbly begg your Excellency's directions. *Signed*, Gawine Lookhart. 1 p.

835. xxiii. Deposition of Adam Hude, Feb. 6, 1710. Some time before ye Supream Court in Nov. 1708 he was much importuned by Peter Sonmans to go to Burlington immediately with ye freeholders' book in order to strike a jury before ye prothonotary Jeremiah Bass, on wch. he desired Sonmans to shew him H.E.'s lysence yt. ye deponent might be safe in leaving his county, who told him he had none. Then Sonmans shew'd him a copy of a rule of Court for ye Sherriff to appear before ye Prothonotary with his freeholders' book in order to strike ye sd. jury at ye suits of Abra. Gouverneur on ye demise of Sonmans agst. Harrison, Willcocks and Higgens. Deponent thinking himself not safe in leaving his county, seeing Sonmans had obtain'd no lycence for him, did send ye freeholders' book by John Norton with a charge to represent him before ye prothonotary. When deponent received ye freeholders' book back, he found it had been unstitched and strangely transpos'd, wch. he knew perfectly by keeping a true copy thereof in his own hand, being afraid of a trick and finding ye names brought together yt. he had designedly wrote in several parts of said book. Deponent challenged Norton, how sd. book came to be so transposed. He answered, that it was done after he had delivered the same to Mr. Bass, and before he received it again, and did not believe Mr. Bass did it, but that it was done while in Bass's custody. Sometime before the May Court in which Mr. Harrison was prosecuted at ye suit of ye Queen for words alledged to be spoke by him agt. Roger Mompesson, ye then Cheife Justice, after several discourses with Sonmans, who told deponent yt. no persons living on Middlesex side of ye bound brook were fitt to try that accon, and so named severall Dutchmen in Sumerset County as ye only persons fit to try ye sd. accon. Deponent told him he could not remember their names Sonmans replyed, he would give ye deponent a list of them, wch. some time after he did, and then deponent told him, if ye persons were all present he could not know them. He answered, he could find a way to lay them all at once in deponent's way. And some time after sd. tryall Sonmans was angry with deponent and told him, that if he had but put Capt. Vulker upon sd. jury, ye case would not have gone as it did, he being one of said list given him by Sonmans. The names of those wch. deponent had so industriously

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spread through his freeholders' book by ye unstitching and transposeing of it as aforesd., many of them were brought together and nam'd by Mr. Bass as Jurors to try ye causes aforesd., and were some of those persons who were named and recommended by Mr. Sonmans to Deponent to try ye case of Harrison. *Signed*, Adam Hude. *Coppy*. 2 pp.

835. xxiv. (a) Deposition of Allen Caldwell (*or* Coldwall). Dec. 26, 1710. At the beginning of this month Sonmans perswaded deponent to sign a paper which he read to him and which contained nothing concerning Dr. Johnson and Mr. Reid. Had he understood that it contained any complaint against their election for Amboy, deponent would not have signed it, *etc.* *Signed*, Allen Coldwall, *his mark*.  $\frac{1}{2}$  p.

(b) Deposition of Thomas Collins. Dec. 26, 1710. At the begining of this month Sonmans read a paper to him, to wch. he, understanding it to be a petition for a free election and for ye Assemblies sitting again at Amboy, did sett his hand. It contained no complaint against the election of Dr. Johnston and John Reid. Deponent was not present at that election, *etc.* *Signed*, Thomas Collins, *his mark*.  $\frac{1}{2}$  p.

(c) Deposition of Peter Buckalieu. Dec. 27, 1710. *To same effect as preceding*. Deponent would have voted for Dr. Johnson, had he been present at the election, *etc.* *Signed*, Peter Buckalieu, *his mark*.  $\frac{1}{2}$  p.

835. xxv. Deposition of Mathew Collins. *To same effect as preceding*, except that Dr. Johnstone's name was mentioned. *Signed*, Mathew Collins.  $\frac{1}{2}$  p.

835. xxvi. Peter Sonmans to Governor Hunter. *Reply to preceding*. Burlington, Jan. 29, 1710. *Suggests* that his opponents are non-jurors and Jacobites who wish to subvert the Government, of whom Mr. Willcocks, one of the cheif authors of all the divisions and distractions of the Province, is the ring leader. *Continues*.—I am prepared to justify my behaviour at the election at Woodbridge. Their allegations are false and I beg that their petition and affidavits may be filed in ye Secretary's office, in order that I may take legal action. I utterly deny that I endeavour to disunite the affections of the people, *etc.* Your Excellency will never condemn me for supporting the liberties and properties of Englishmen. That I forbid the Sherrieff at his perill to sett up Capt. Farmer as a candidate, I deny not, and will justify by divers laws wch. render him incapable of being elected, wch. I also then and there produced praying that they might be read, but ye Sherrieff uterly refused, saying, We will have no law here. After many objections made against ye laws I there produced, Mr. Willocks very tauntingly told me I did not bring those laws from

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Holland, to weh. I answered no, nor from N. Brittain neither, to weh. Mr. Willocks sd. again, We will not be ruild by Dutch laws, to weh. I answered, nor by North Brittish neither. Mr. Rudyard upon that gave me very unbecoming rude language, weh. made me tell him, we were under a regular Government not to be huft, or threated as he used to do on board a man of warr, that we were not under martiall, but ye law of ye land, he continueing to behave himselfe very disorderly, I said as in ye petition, No Turkish, *etc.* Mathew Moore threatened me with his bent fist and advanced it to my very face, whereupon I told ye Sherriff he ought to keep better order, weh. not being minded, I bid the Sherriffe take Moore in his custody, weh. I might well doe, for an election (with humble submission) is not to be turned into a ryott nor protect ye rabble in affronting ye officers of ye Governmt., but however ye Sherriff rid between ye two divisions and ye matter ended. I annex the petition of most of ye Freeholders of Middlesex, that your Excellency may see who perverted ye election, wt. illegal proceedings were used, and how necessary it was to stand up for English laws and freedoms when both were so openly perverted and violated : ye alligacons of weh. petition are proved by divers affidavits, and if your Excellency think it worth your examinacon shall be made out by those yt. signed it. I wish ye Sherriff be not made sensible yt. he did at his perill break thro' so many laws relateing to elections as he did. What crimes I escaped by ye death of my Lord Lovelace, since they cannot instance any, it must remain as great a secret to your Excellency and ye whole province as to me, especially since it's very well known yt. severall of these petitioners together with some others, my profest enymies (because of my just demands upon them then depending in ye Supream Court, or else for doeing my duty as a magistrate) being packt together in a Grand Jury fraim'd two malicious indictmts. against me, and that afterwards one of these petitioners being gott into ye Assembly, prevail'd upon ye House to present an Address agt. me to my Lord Lovelace, in weh. nothing yt. might but look, or be strain'd to look, like a fault, mistake(n) or slip, in anything I had done either as a private gent. or magistrate, escap'd : but his Lordship being pleased to grant me the same favour and justice your Excellency has now thought fitt to do, viz : letting me have a copy of ye sd. Address, and giveing me leave to answer, which ye managers of that Address neither intended nor expected, ye malice of ye promoters of yt. Address plainly appeared both here and in England, and did me as little prejudice as their scurrilous indictmts. weh. I did not shun ; nor shelter myself under a *noli prosequi*, tho' offered me both by my Lord Corn-

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bury and Ld. Lovelace, nor *cessat processus* : but stood my tryalls, at neither of wch. anyone of ye pretended prosecutors, or evidences had ye confydence to show their faces, from whence it will be evident that I escaped not by ye death of my Lord Lovelace, but was acquitted by due course of law. One half of the petitioners are my profest adversarys for ye reasons already given, divers others were not at ye election, and sevl. deny yt. they ever signed the petition, as shall be proved when yr. Excellency pleases, *etc. etc.* *Argues* that his saying that “we will not goe to North Brittain for justice can be noe manner of crime, much less a reflection upon ye Queen’s prudence, or ye Kingdom where your Excellency was born, but only a necessary and naturall answer of mine, (as a supposed Dutchman) to Mr. Willocks, his saying we will not be ruil’d by Dutch laws, who is a Scotchman.” *etc.* One of them has all along refused to take ye oath, and is therefore now under all ye forfeitures and disabilities of a Romish recusant. The last charge of ye deponents is yt. I clapt my hand upon my breach and made a great noise, wch. I utterly deny, nor can conceive what is meant by making a great noise. I have not and shall never give my enemys ye advantage of being able to censure me for want of good manners, much less such rude and unbecoming actions, of wch. I never knew any that pretended to gent. always so full as Mr. Willocks : particularly at ye last Amboy election, where he took much pains to take up ye skirts of his coat and wescoate and stooping very low rais’d his breach as high as he could, and in defiance to me, and all those yt. appear’d with me, there severall times clapped upon it as hard as he could, saying this, this for you, *etc.* *Signed*, Peter Sonmans. 10½ pp.

835. xxvii. Address of the House of Representatives of New Jersey to Governor Hunter. Burlington, Feb. 6, 1710. Complaint against Mr. Bass, Secretary of the Province. He has from his first coming in all his sevl. stacons behaved himself so very ill yt. his evidence with sevl. jurys has gained as little credit as his common conversation doth with ye generality of mankind so yt. his name Bass and a lye are synonymous terms. Indictmts. agt. him by a Grand Jury for some of ye foulest crimes puts no stop to ye carrier of his unjust and indirect practices, being supported by those Gent. whose representacons in favour of him we hope will gain no more crediet with your Excy. than we believe their foul address agt. ye Representative body of this Province has done with our most good and gracious Sovereign. We enclose proofs of severall of his wicked and unjust practices, some of wch. were in execution of his office, and appear very evidently to this House. One of ye affidavits plainly shew his intentions were to oppose

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H.M. service and prevent as much as in him lay ye raising a support for her Government, here by reflecting on and endeavouring to prevent ye choice of those who were obedient to her wise and just commands relating to Canada expedicon, and have served the true interest of the country, *etc.* It was a great injustice and malversation in his office by base and wicked practices to turn so many people out of their possessions or oblige them to comply with ye heaviest terms their antagonist would impose, as by ye case of sevl. persons in Maidenhead *etc.* doth plainly appear. We cannot think ye Province safe so long as he continues to execute ye sevl. offices he now enjoys, or that he ought to be trusted with ye publick Records and other instruments, *etc.* We earnestly do pray yr. Excy. not only to deprive him of his authority till H.M. pleasure shall be signify'd, but that you also will lay an accot. of ye crimes of yt. person before H.M., *etc.* *Endorsed, Recd. 15th June. 2 pp.*

835. xxviii. Petition of George Willocks to Governor Hunter. In 1705 there was an accon of ejectment commenced in ye Supream Court in ye nanie of Abraham Gouverneur upon ye demise of James Earle of Perth, John Earle of Melford, Peter Sonmans, Robt. Burnett, and John Hadden, agt. petitioner for lands and tenements in Perth Amboy then possessed by him, and in November terme 1706 petitioner obtain'd a verdict of a jury and judgemt. with costs. But when ye petitioner's Attorney carryed ye bill of costs to be taxed by Jeremiah Bass, Clark or Prothonotary of ye sd. Court, Mr. Bass cutt of divers things yt. he usually allowed of others in ye like cases. In Dec. following Robt. Burnett, who neither knew nor had given direction for to use his name in ye sd. action, released his right to petitioner. Jno Hadden, (who was also as ignorant ye suite as ye sd. Robt. Burnett) by his attorney did also release his right to petitioner, and did also sell a propriety to Jno. Johnston, ye petitioner and others, web. has cost them upwards of £1500. In ye end of 1706 or beginning of 1707 another such action was commenced in all ye names aforesaid for ye sd. premisses agt. petitioner, sometime before Novr. terme 1707, ye petitioner had notice of tryall, and yt. instead of ye Sherriff's impanelling a jury as always had been customary, Mr. Bass by a pretended rule or order of Court had named a jury out of ye Sherriff's Freeholders' book, not taking them in ye order they were named in ye book, but picking them, some of ye most ignorant, others yt. understood not English, and ye rest of such as were known to be under ye direction and freinds to Peter Sonmans, ye only person that had commenced, and carryed on ye sd. aecons. Ye partiality appeared so evident yt. ye tryal was delay'd, and a new rule made yt. terme concerning a special jury. John

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Haddon's Attorneys being gon for England, and haveing carryed ye sd. power along, petitioner haveing seen by ye indorsement, upon ye sd. letter of attorney that it was proved before Judge Pinhorn and recorded by Bass, sent to him by a freind to gett a copie thereof from the Records, but Bass absolutely denyed yt. it was recorded, with an intention to defeat petitioner and all others of what they had purchased by virtue of yt. power. Petitioner at ye same time sent Haddon's release to be recorded, it being prov'd before one of H.M. Council, wch. he refused to do till ye Supream Court was over, wch. was not till about 6 weeks after, but was at last prevealed with to record it. *Repeats account of unstitching Freeholders' book and picking the jury given above, xxiii.* For this Bass was afterwards indicted by a Grand Jury, tho' for that and divers other crimes he was then also indicted for by undue proceadures he escaped with impunity. On Nov. 1st 1708, being ye day before yt. Court, petitioner went to Mr. Basse's office then at Amboy and desired to see some book of records and named a page, wch. when Mr. Bass saw as with a seeming admiration say'd, Ah, John Haddon's power of authority. Petitioner reflected on his injustice for concealing ye same, and giving out false coppies of ye rules of Court agt. ye petitioner, as then appeared, and said he would not always have such a protector as Lord Cornbury, then Governor. Mr. Bass seemed at first to resent what petitioner said, but in a little time he began to intreat petitioner to pass all by, and promised he would be just in time coming. The second day of the Novr. terme, petitioner obtained a verdict and judgement with costs. Petitioner had his bill of costs drawn by his Attorney, and carried it to Bass to be taxed, who pretended at first that there was a rule of Court against it, then a minute of Court, but upon search of ye rules and minute bookes, no such were to be found. Then Bass pretended he could not do it unless Mr. Sonmans and his attorney were present. Petitioner replied it had never been ye custome, but on ye contrary he had tax'd an excessive bill at ye suite of Mr. Sonmans agt. Capt. Harrison of about £70, at last he replied it was discretionary in him, and he would not do it. Tho' petitioner hath since applied to him by his attorney Mr. Regnier, could never yet obtaine justice nor one penny of his costs, etc. *Prays for relief. Signed, Geo. Willocks. 4½ pp.*

835. xxix. Address of the Representatives of New Jersey to Governor Hunter. Burlington, Jan. 1710. Some time since we ordered some of our Members to inspect ye journals of ye Council to inform us how far ye gent. of ye Council had proceeded in relation to ye passing of some bills sent up. Upon applicacon to Mr. Bass ye

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Clerk of ye Council such an inspeecon was denyed us, pretending he had orders from ye Council to warrt. his refusal than which nothing was more false. We have now ordered him to lay before this House all ye accots. and papers relateing to ye accots. concerning ye Expedicon agt. Canada, which he has also refused to do, saying ye Councill has ordered him not to delivere them to ye House ; we beleive this pretence is most false, and yt. he had no such order, and if he had, we desire to know why ye Gent. of ye Councill assume to themselves such a power, for ye papers we required were our papers, and should have been long since delivered to us. We think ourselves highly affronted by this procedure and pray if Mr. Bass has asserted a falsehood, he may meet with an exemplary punishmt., for it's not to be born that ye Representatives body should be publickly nosed by a person whose sevl. crimes and misdemeanours deserve a publick censure, and agt. whom we fear we shall be under necessity to proceed by way of impeachment.  $1\frac{1}{2}$  pp.

835. xxx. Deposition of George Willocks, Tho. Farmar, John Rudyard, John Johnston jr., John Barclay, Judiah Higgines, John Pike. Nov. 1, 1710. Depose as to Peter Sonmans behaviour at the Woodbridge election *as supra* xix. and xxvi. *Signed*, Geo. Willocks, *etc. as above.* 1 p.
835. xxxi. Deposition of Jacob Tappen of Cohansie, county of Salem, Dec. 25, 1710. On Oct. 22 last, Jeremiah Bass discoursing with him about what men was fit to serve on ye Assembly for ye County of Salem, said that Sharp and Middleton was hasty chollerick men and that they was not fit men to serve, for they was ye cause of giving ye countries money away and of ye £3000 tax.  $\frac{3}{4}$  p.
835. xxxii. Deposition of Isaac Sharp of Salem County. Deponent being cast in a suit, and there being executions agt. him for fines, in 1704 he paid Bass said fines, he being Clerk of the Court for the County of Gloucester. Afterwards Bass asked to see the executions again, and when deponent delivered them up, immediately burnt them, so that deponent is left without any receipt for his payment, *etc.* *Signed*, Isaac Sharpp. 1 p.
835. xxxiii. Deposition of John Barclay. Burlington, Feb. 1710. *Confirms part of xxviii. supra.* *Signed*, John Barclay. 1 p.
835. xxxiv. Deposition of Thomas Gordon. Feb. 2, 1710. Confirms some of above charges against Bass, and following. *Signed*, Thomas Gordon.  $3\frac{1}{2}$  pp.
835. xxxv. Deposition of George Willocks. Burlington, Feb. 6, 1710. *Elaborates xxviii. supra.* *Concludes* : At the desire of Lewis Morris, Agent to ye West Jersey Society, or his attourney Mr. Emott, deponent went to Mr. Basses office at Amboy some time after ye Supream

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Court in Nov. 1706, takeing Thomas Gordon to be a witness to what past, and then desir'd in the name of Mr. Morris ye names of ye plaintiffs casuall ejectmts. as had been served in Hopewell and Maidenhead upon ye demise of Col. Cox, and what rule was made upon them; he told deponent he could not lett him have them, his books and papers being put up, before he was at Burlington. After much pressing and many words, Mr. Bass open'd a chest and tooke out such bookes and papers as he thought fitt and sett his Clark, Charles Huddy, to write, who as Mr. Bass said wrote wrong, and Mr. Bass wrote himself, "at ye demise of Daniel Cox Esq. John Bourcher, pltf., and Richd. Heath, deft., in 6 accons, the tennants in possession were Samuel Davis, Zebulon Heston, Johan. Larrenson, Natha. Pettitt, Josiah Andress, Richard Lanning, Rule to plead Jan. 1st., signed Jeremiah Bass." *Signed*, Geo. Willocks. 5½ pp.

835. xxxvi. An abstract of the Representation of the Assembly of New Jersey on an Address communicated to them by the Lord Lovelace from the Lt. Governor and Council to H.M. *Endorsed*, Recd. June 15, 1711. 7½ pp.

835. xxxvii. Jeremiah Bass, Secretary of New Jersey, to Governor Hunter. *Reply to Mr. Willocks' charges Nos. xxviii. and xxxv. supra.* The wicked like the troubled sea always cast up mire and dirt, *etc.* Complainant is made up of rancor, spleen and falshood; a non-juror, and one of the chief contrivers of discord of the Province, *etc.* (i) Mr. Willocks' charges about my taxing bills of costs (xxviii.) are untrue. My own fees are unpaid, but the whole costs have been paid to Willocks or his Attorney. (iii) *Quotes* order of Court to prove that it was by no pretended but real rule and order of the Court that a special jury ought to have been struck in the cause mentioned. It was not any partiality and injustice in me that delayed the tryall, but the disobedience of Mr. Willocks' Attorney to the first rule of the Court. As to the letter of attorney of Hadden, I doe not remember or believe that anybody demanded the copy, but if Mr. Willocks had mentioned the person, place and time, it would have refreshed my memory. If I refused the recording Haddon's release, as I know not wheither I did or not, it must only proceed from my diffidence of being paid by the person that owned it, nor could it have been done with intention to defeat him, because being recorded adds no strength to the release. As to the Freeholders' Book, the Sherriffe sent me by Mr. Norton a parcell of loose papers carelessly tyed together, and I told Norton I could not accept of that as a Freeholders' Book, for it was altogether irregular and contained a confused jumble of names of the

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inhabitants some out of Somersett and the next perhaps out of Amboy or Woodbridge. He reply'd that the Sheriffe told him he had jumbled an honest man and a knave together. But this was made the subject matter of an indictment to which I have taken my tryall and was acquitted not sheltering myself by a *noli prosequi* or *cesat processus* though the one was actually sent me from my Lord Cornbury and another offered me by my Lord Lovelace (*quoted*). *Copy of trial for altering the Freeholders' book.* (v) Denies Mr. Willocks' account of what he said and points out that there were no witnesses. (vi) Motion was made in Court by the Attorney for Mr. Sonmans that there might be a rule not to taxe the bill of cost without notice to the other side, but it was not thought necessary to enter any rule because it's well known to be the constant practice in England for the Prothonotary not to tax costs without notice when either the plaintiffe or defendant desired it. In the case he mentions neither Harrison nor his Attorney had desired to have notice, *etc. etc.* (vii) The seventh article being altogether general(s) is impossible to be answered *etc.* (viii) This having been the subject matter of an indictment against me to which I pleaded and was found not guilty requires no other answer, *etc.* (ix) To the 9th Article relateing to the Records, I must informe your Excellency that in a petition of the Representatives of the Eastern Division (annexed), there was an order of the Governour in Councill made Nov. 7th, 1705, for the delivering of all records *etc.* into my hands to be kept in the Eastern Division, that some persons who then had them in custody did only deliver some records and other publick papers, and Mr. Willocks and another Gentleman to this day detain very near as considerable a part of the publick records *etc.* in their hands as are delivered, and though repeated orders have been since made are soe farr from delivering of them that it is not known were they are, nor any possibility of having a sight of them, and nobody but Mr. Willocks (who by a letter from Mr. Gordon and a copy of a receipt signed by him and Dr. Johnson confess to keep the said records in their custody) would have the assurance to complain of what himselfe only is guilty of. This is indeed a grievance, that publick books and records should be kept in perticular hands soe privately that no recourse can be had to them, and of which many have complained. I am very well assured neither Mr. Willocks nor anybody else was ever deny'd access to the records nor copys from them, or to have the records themselves in Court whenever he or they had occasion for them, and frequently without any fees paid for the same. That I have not any Deputy resideing at Amboy, I acknowledge, and shall not easily be prevailed with to

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appoint one, (and if I would, know not where to have one in that towne) since I was so ill served by the two former, John Royce and Benjamin Griffith, the first having so mismanaged that trust that I was obliged to dismise him or be lyable to answer for more real than this representation contains imaginary faults; and the other though an honest man was surprized into a mistake by John Barelay, who raised and altered the Records while the other's back was turned. As to the affidavit of Jacob Tappen I cannot devise to what purpose this affidavit was brought into the House, except it was to expose Mr. Sharp, who was condemned for assaulting Sarah and Ann Harrison, as the records (*quoted*) show. The latter part relating to the £3000, the deponant hath mistaken ye sence, which was the necessity of saving what was possible of that sum, *etc.* *Signed*, J. Bass. *Endorsed*, Recd. June 15, 1711. 14 $\frac{1}{4}$  pp. *Torn*.

835. xxxviii. Petition of some members of Assembly for the Eastern Division to Governor Cornbury, that the records may be lodged in the hands of the Secretary, *etc.* *Copy*. 1 p.

835. xxxix. Memorandum. On May 25, 1709, George Willocks was brought before us, on our order as Justices of the Peace of Middlesex and Somersett, and refused to take the oath required by the Act 1st Wm. and Mary, and said that he was not satisfi'd in the authority of us. *Signed*, Peter Sonmans, John Drake. *Copy*.  $\frac{3}{4}$  p.

835. xl. Memorandum. Mr. Willocks, as *in preceding*, refused to take the oath appointed by the Act 6th Anne, *etc.* *Signed*, Peter Sonmans, John Drake. *Copy*.  $\frac{3}{4}$  p.

835. xli. Copies of 14 Bills passed by the Assembly of New Jersey, but not assented unto by the Council. 24 pp.

835. xlii. Copy of the Council's amendments to bills *for regulating the practise of the laws, and declaring printed copies of Acts passed in Lord Lovelace's time to be effectual etc.* 2 $\frac{1}{2}$  pp. [*Covering letter only*: C.O. 5, 1091. No. 34; and (*enclosures only*) 5, 970. Nos. 102-144.]

May 7.  
Maryland,  
Annapolis.

**836.** Edward Lloyd, President of the Council of Maryland, to the Council of Trade and Plantations. Having the ready opportunity of writing by some ships H.M. has ordered not to be embargo'd, I presume to acquaint you that this day I have the honour of yr. Lordps. of Oct. 26, 1710, with H.M. Instructions to Col. Seymour, May 6, 1707, which never was communicated to H.M. Council here by Col. Seymour, if ever it came to his hand, nor ever had I the least intimation thereof. I have also recd. your Lordps.' of Nov. 8, 1710, with H.M. Order in Council, Nov. 2, (*q.v.*), and am sorry to find H.M. Council and myself should have been led into so unhappy an error purely occasioned by our being unapprized of that H.M. Additionall Instruction,

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and by following the method that had been taken in the absence of Coll. Blakiston by Thomas Trench, then President of H.M. Council here, which wee never understood was disapprov'd of by your honourable Board, so that with a letter from myselfe and H.M. Council of Nov. 4th last under the same fatall mistake I have transmitted your Lordps. the Acts of the last Session which are under the same dilemma, and therefore justly apprehend they will meete with the same dislike, yet knowing your Lordps.' great candour, have reason to hope you will not impute to me or the Council any neglect of our dutys ; for had wee known H.M. good pleasure, I dare answer for those Gentlemen as well as myselfe, wee had payd all due deference and ready obedience thereto. My Lords, on due reflexion of your Lordps.' kind intimation that if any of the Laws H.M. has been pleas'd to disallow by her said Order in Council do seeme to be of absolute necessity for ye good Government and wellfare of the Province, they may be re-enacted by the President (as Commander in Chiefe), Council and Assembly, I purpose to call the Council together and advise thereof. But severall of the Gentlemen living in different countys on both sides the Bay at great distance from the seate of Govermt., it is not easye to procure a meeting without tymely notice, so that at present I cannot have their assistance, however presume to offer to your Lordships my apprehension that two of those laws, vizt. the *Act continuing the Act regulating the Militia*, and an *Act reviving an Act for lymmitation of officers' fees*, are of very great moment to the Country, and am affraid the Delegates will not be easily prevayl'd with to reenact them as they now stand, especially that for officers' fees, notwithstanding shall use my best endeavours to perswade them. *Signed*, Edwd. Lloyd. *Endorsed*, Reed. 12th, Read 13th June, 1711. 2½ pp. [*C.O.* 5, 717. No. 41 ; and 5, 727. pp. 274-276.]

May 7.  
London.

**837.** Mr. Dummer to [? Mr. Popple]. *Gives sailings of the Sophia* packet-boat, out and home 123 days. The friends of Col. Parke write nothing of particulars of his murther for fear they shall be served so themselves. Lt. General Hamilton called an Assembly of all the Islands to meet at Antego, and they met from each Island, only the Nevis men contemn'd the general summons. From Jamaica they say their is no trade within nor without themselves, the Spaniards being supply'd by the River of Plate, and the South Seas by the French sufficiently. There hath been a long season of dry weather which has shrunk the cropps of sugar, and almost destroy'd their indigo manufactures. *Signed*, E. Dummer. *Endorsed*, Recd. 7th, Read 10th May, 1711. 1 p. [*C.O.* 323, 7. No. 12.]

rec'd.  
[May 8.]  
prob. desp.  
[Feb. ?]

**838.** Lt. Governor Yeamans to the Council of Trade and Plantations. The post I at present enjoy under her most gracious Majesty in this Island, entitles me in a particular manner to give your Lordships in some measure the most probable causes that procured the fatal end of our late General Parke, which happened on Dec. 7th last past, that the same may be fully laid before H.M.

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I had thought to have mentioned all matters that had occur'd between General Parke and the inhabitants of this Island from his first entering upon his Government ; but when I consider the same would be too tedious and that your Lordships' time is more precious to the publick, and employed in affairs of deeper consequence, knowing withall that a great part is already before your Lordships in the Minutes of the Councill and Assembly, I shall therefore only begin from the first cause of the Generall's calling the last Assembly and what followed thereupon. We had an information from some of the French themselves, who are related to some French protestants here, that they onely waited for Mor. Declare or their General's arrival, to make a descent upon this Island, and when we thoroughly understood that Declare's squadron was arrived, though he himself miscarried in his attempt upon Brazele, yet his ships with the privateers (which are here numerous) we were well satisfied would be sufficient to put in practice what they had deliberated and given out, which occasioned myself and Council to address the Genl., that he would be pleased with all expedition to issue forth writts for the choosing an Assembly, for our former was dissolved, in order to have their assent for the payment of workmen, sending negroes to our fortifications and for the prosecuting other matters needfull in this our present time of danger, which he assented to, and issued out writts accordingly, but upon our meeting, and after the choosing a Speaker, he prorogued them some days, which was by the Assembly lookt as a procrastination at that time, and that he had other ends in view than the well-fare of this Colony, but of this they seemed to be the more settled in their opinions, when at the day of their next meeting, several arguments were had and revived about a Clerk for the Assembly, which was another cause of prorogation, and another additional distast, the General telling them that he was willing to appoint such a person for Clerk, as they should nominate or recomed, upon which they sent a person to be sworn and qualified by the General to be their Clerk, but H.E. took exception to some words in their message, and therefore refused him, which myself and Council observing would be a means to frustrate all the good designs that were intended to be acted at this juncture of time, address'd the General to accept the Clerk, being of opinion that the word qualify, might be sufficient for the preserving the Queen's prerogative in all respects upon that debate, our present danger (as we conceived) of the enemy and that there might be no remoras to our proceedings for H.M. service, and the benefit of the publick, led us to address the General as aforesaid, all which will be laid before your Lordships for your better satisfaction, but the General was in no ways moved with our address, or any arguments we could use, which caused another prorogation, and that raised, with the General's taring in a great passion a message sent him from the Assembly, such a ferment, that they prayed in a written message to be admitted in a whole body, to tell him their grievances, and thereupon the Speaker with the rest of the gentlemen came into the Council Chamber, and offer'd to present to the

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General in writing, what they had to alledge, which the General refused to receive, upon which the Speaker moved to have liberty to speak to the business they all came about, which he likewise refused to hear, which occasioned hot and warm words between ye General and the Gentlemen of the Assembly, and the more when the General told the Speaker he had committed a riot, and would put him in irons, but the cheifest of all was, the General's calling to some person to be ready, having then three or four files of soldiers at ye door, who only waited for the word of command to fire on them, as some Gentlemen related they heard one or two of the soldiers say. Nevertheless, the Assembly being withdrawn, the General adjourned them for two days; at which time and place of meeting, I found a great number of men in arms, who came as they said, upon my demanding what they were in arms for, to defend the gentlemen of the Assembly, and to prevent the soldiers insulting them. I also found the General had called all H.M. troops to his own house, and had planted four or five field peeces about it, and sent for several persons of the country to come into him. This tempest thus blown up, I endeavoured all I could to mitigate, but found myself unable to withstand it, the major part of them affirming there could be no calm till the General departed this Island to some other part of his Government, and myself, Councill and Assembly to provide for the defence of this place for that they were very confident his stay would produce no other effects but the ruin and destruction of the same, the gentlemen of the Council was then in town, whom I met to consult what was proper to be done at this time, whose opinions were, as the face of all things then stood and shewed themselves, the adviseablest method to be taken, both for the General's security, and allaying this storm, was to address H.E. to retire to St. Christophers or Nevis for some time, the better to compose if possible these differences, which when he had received, his answer was in the negative, which put us to consider of another message, which was sent to the General by one of the Council, which mett with no other success than the former, this made the people uneasy, however I prevailed with them that I might send the Speaker with the same Gentlemen of the Council that went before with the other message, who brought us an answer much to the same purpose of the precedent ones, which incensed the generality of the men then in arms, who cryed out March, upon which I used all the arguments I then was master of to persuade them to stay, offering to goe myself with the Council to the General and endeavour to prevent the impending mischeif that was likely to fall on us, adding the fatal consequences of these proceedings, some of whom answer'd their only desire was that the General would depart the Island peaceably, having no design to hurt his person, my replication, as also the further arguments of the Council with some of the Assembly, was of no force, nor could hinder them from an immediate march towards the General's house, which was followed with some shot on both sides, but from whence the first came I can't determine, which ended in his death with several others on both sides, and several wounded,

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to the great disabling and weak'ning our Island, and a general concern and dissatisfaction of all. Thus my Lords I have to the best of my judgement given your Lordships in as brief a maner as I could my sentiments in a rural stile, which I hope your Lordships will pardon, and what else may be deficient in expression, the last cause (the precedent ones as I have said being already before your Lordships in ye Minuts of the Council and Assembly, and the articles against him now before H.M.) why the generality of the inhabitants conceived so ill an opinion of the General, and what brought him to so dismal an end, all which I beseech your Lordships to lay before H.M., with such advantages as to your Lordships' wisdome will be thought most adviseable for the procuring a unity amongst the inhabitants, and what else will tend to the benefit of this H.M. Colony. And to let your Lordships be informed, I endeavoured to do my duty, in preventing what mischeif I could, I have made bold in a paper here inclosed to incert the substance of what I said to the inhabitants that were in arms the day of the General's death, as also for causes given me, have further trespass'd upon your Lordships, to incloase another paper, of what I spoke to the Lt. General and Council before I signed the Address of myself and the Council to H.M., relating to the General's death, *etc.* *Signed, John Yeamaus.* [C.O. 153, 11. pp. 294-300.]

May 8.  
Whitehall.

**839.** Council of Trade and Plantations to the Queen. Representation on Address of General Assembly of Maryland complaining of certain hardships in connection with the Tobacco trade. After dealing with this point, the Council of Trade propose that the General Assembly be recommended to appoint an Agent in England to take care of the affairs of the Province. (*Set out, A.P.C. II. pp. 630-633 q.v.*) [C.O. 5, 727. pp. 245-250.]

May 8.  
Whitehall.

**840.** Same to same. Representation upon the Address of the President, Council and Assembly of Maryland objecting to the Governor having the custody of the Seal, because in an appeal from the Chancery Court he acts as judge of his own decree. This inconvenience is occasioned by the Acts for *Appeals etc.*, 1699 and 1704. *Propose its repeal*, when a power of bringing appeals and writs of error from the inferior Courts to the Governor and Council, and from thence to H.M. in Council here will subsist by H.M. Instructions to the Governor, in like manner as is practised in other Plantations in America, *etc.* (*Set out, A.P.C. II. p. 633.*) [C.O. 5, 727. pp. 251-255.]

May 17.  
Whitehall.

**841.** Council of Trade and Plantations to Lord Dartmouth. Since what we have already transmitted to your Lordship, relating to the rebellion and murder of Col. Park at Antego, we have been attended by Mr. Michael Ayon, Provost Marshal General of the Leeward Islands, who was in the chamber at Col. Parke's house when he was killed, and Ayon having presented to us a letter from a member of the Council (? *Mr. Morris, Feb. 27. Ed.*) who signed the Address which was sent to

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your Lordship, and communicated to us several affidavits in relation thereto, and given us a verbal account of what pass'd in the action, and hath promised to put the same in writing, and to lay it before your Lordship with the said affidavits, we do in the meantime here inclose for yr. Lordship's information a copy of the said letter, *etc.* [*C.O.* 153, 11. p. 321.]

May 19.  
Spanish Towne.

**842.** Governor Handasyd to the Council of Trade and Plantations. I have received H.M. Order in Council March 1st, 1710, for repealing a judgment given here in the Supream Court of Jamaica, in favour of Charles Long and Dame Jane, his wife. By which it is the oppinion of most of the learned men of the Law, and men of the best judgment here, that it strikes at the very foundation of the Laws, by which this Island has been governed and preserved for this 50 odd years last past. By H.M. King Charles' Royal Proclamacon, 1661, having thereby granted all the emunities and priviledges of his native subjects of England, to all those that would come and settle here, which was the main encouragement for the settling this Island, since which time all the English laws, (excepting some few that has been made for the better management of slaves *etc.*) has been constantly observed and followed in all Courts of Justice here, as also an Act passed in this Island for ye Statute Law and Common Laws of England to make them in force here: which was never repealed by a Privy Seal sent here as is usually done in such cases, from H.M. or any of her predicesers. But on accot. of this Order all Judges and other Magistrates *etc.* are very fearfull to act in their several stations. I beg leave to acquaint your Lordships, it is my oppinion, that without H.M. is graciously pleased to give them some assurance of her gracious clemency and favour towards them being now in a very low condition, little or no trade, and surrounded with enemys both within the Island, and without; makes this seem a greater hardship to them. I only offer this as my owne private oppinion, for the honour of the Crown of Great Brittain, and the welfare of this Island, by what I have learnt I do beleive that the Council and Assembly (in the name of the whole Island) will offer an humble Address to H.M. in their behalf. I know your Lordships has goodness to pardon this, since I take it to be my duty to give your Lordships the best accot. I can. I have writt on the same subject to the Earl of Dartmouth, *etc.* *Postscript.* This day H.M. Order in Council was read in Council here, and the judgement that was given in favour of Cha. Long *etc.* is reversed *etc.* *Signed,* Tho. Handasyd. *Endorsed,* Recd. 23rd, Read 27th June, 1711. *Addressed.* 2 pp. [*C.O.* 137, 9. No. 38; and 138, 13. pp. 333-335.]

May 19.  
Spanish Towne.

**843.** Same to same. *Acknowledges* letter of Feb. 19. There is since come into the West Indies Monsr. Du Cass with 8 men of war, as prisoners reported that was sent into the Madearas with a Flag of Truce it was a Portugees ship he had taken of 24 gunns, he lay off the Maderas 24 hours; something better then a month ago, and had no other ships with him; which made us suppose the

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rest was separated from him in bad weather. He was in a ship of 74 brass guns and 650 men. I wish he may not be waiting for our Fleet coming to the West Indies, but by a letter from the Governour of Carthageen to the Vice-Roy of Mexico, bearing date the 1st of May, which I have intersepted, and inclosed to the Earl of Dartmouth, which says that he is only comed for the galloons an(d) further sayeth that there is but little money in them, and in the said letter he gives an account of their victory obtained over King Charles. I send you hear a copy of the heads of the relation he gives as well as I can gett it translated here. Our traders and man of war is still at Porta Bella, and there has been a sloop dispatched from hence to give them notice of the enemy being in these parts, but by what I can learn by a turtler that came from thence, they had but very little trade when he came away. The Island since my last has been very much afflicted with sickness ; which has proved mortall, and H.M. Regiment under my command has had their share, and we have lost a Counciller, by name Thomas Clarke, jr., his father and he dyed in one day, and in one hour of the day. The Assembly is now sitting and I hope to be able to send you an accot. of their proceedings by the next pacquett or man of war which sayls first. I could wish some method could be found out for recruiting H.M. Regiment under my command, but I beleive that must be left alone untill my arrival. Comadore Littleton is very much indisposed, but I hope not in danger. As to other news here, wee have none, but I am of oppinion Monsr. Du Cass's Squadron will make all the hast back again they can, if they be come only upon the accot. of the galloons. Our men of war is not in a condition to oppose them if they were here, but at present they are all out, and not one man of war in the harbor. As to the poor sergant's pardon, I have heard nothing from Capt. Gardner, and am afraid he has forgott it, as he doth most things he ought to remember, etc. *Signed*, Tho. Handasyd. *Endorsed*, Recd. 23rd, Read 27th June, 1711. *Addressed*. *Sealed*. 2 pp. *Enclosed*,

843. i. Governor of Carthageen to the Duque de Linares, Governor of New Spain (Mexico) Cartagena. May 1, 1711. *Translation referred to in preceding*. *Endorsed*, Recd. June 23, 1711.  $1\frac{1}{4}$  pp. [*C.O.* 137, 9. Nos. 39, 39 i ; and (without enclosure) 138, 13. pp. 336-338.]

May 19. **844.** Same to Lord Dartmouth. Duplicates of preceding Spanish Towne. two letters with Spanish original, and translation in full of the Governor of Carthageen's letter No. 843 i. [*C.O.* 137, 51. Nos. 39-42.]

May 19. **845.** Mr. Attorney General to the Council of Trade and Plantations. *Returns* books connected with Lord Baltimore's petition. I am ready to attend your Lordships any time after the holidays. *Signed*, Edw. Northey. *Endorsed*, Recd. 19th, Read 24th May, 1711.  $\frac{1}{2}$  p. [*C.O.* 5, 717. No. 33 ; and 5, 727. p. 256.]

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May 21.  
Boston,  
New England.

**846.** Mr. Bridger to [? *Lord Dartmouth.*] The yearly wast and destruction made in H.M. woods continuing and chiefly by Mr. Collins' employer Mr. Mico here, who not only cutts all sorts of masts above his contract, but by his people here has given such boldness to the inhabitants the loggers, that this year they have cutt several masts and sold them to Mico's people in the woods, *etc.* Were this Charter gone, H.M. prerogative would shine bright and influence the whole so that they would be more obedient to H.M. commands and civil to her intrest (and officers), and were they more dependant, they would be much more servisable. I humbly pray your Lordshipp order for the masts that are cut above contract. I have seized several times his masts, but have not had the seizure confirmed at home, which has given birth to all his unwarrantable and prejudicial proceedings, *etc.* I have endeavoured by all ways possible to stop him, but all in vaine, for which he has allways informed against me as now before the Admiralty. I humbly pray your Lordshipp's favour, his information being false, malicious, *etc.* H.M. can never hope of any justice here. where judge and jury are offenders. for they plead their Charter no law, when I prosecuted them on it for cutting masts, and at other times they adore it, equal if not preferable to theire schismatical doctrine, *etc.* *Signed, J. Bridger.* 1 $\frac{1}{4}$  pp. [*C.O.* 5, 898. No. 7.]

May 21.  
Boston.

**847.** Mr. Bridger to Mr. Popple. *Acknowledges* letters of Oct. 26 and April 23. I have apply'd to Col. Hunter, who refuses me travelling charges. I pray directions in this affaire. The yearly wast made in H.M. Woods by Mr. Mico has set the inhabitants at worke in the same manner; the loggers this year having cut many masts, and Mico's people has bought them, this gives great encouragement to them. Mr. Mico has also cutt this year 40 or more masts above his contract (weh. do not exceed 26 inches the largest diameter), he cuts to 36 in. Nothing will oblige him to rules; all I can doe is humbly to represent to their Lordships by you for redress, by strengthening my Instructions, allowing Deputies *etc.* *Repeats preceding.* The reason is, the litle masts that are in contract his employers will loose by, and the large tho' out of contract he will cut to make that loose good, notwithstanding the Navy do not want them. *Suggests returning to lay matters before the Board, etc.* *Signed, J. Bridger.* *Endorsed, Recd 11th, Read 13th July, 1711.* 1 $\frac{1}{2}$  pp. [*C.O.* 5, 865. No. 66; and 5, 913. pp. 337-340.]

May 22.  
Whitehall.

**848.** Lord Dartmouth to Governor Dudley. The Queen having been pleased to constitute Col. William Tailer Lt. Governor of the Massachusetts Bay, I recommend him to your favour and assistance, *etc.* *Signed, Dartmouth.* [*C.O.* 324, 31. pp. 12, 13; and 324, 32. p. 83.]

May 22.  
London.

**849.** Mr. Dummer to Mr. Popple. The *Frankland* packet-boat has been taken by 3 privateers and carried into Brest. The Captain threw all his letters overboard, *etc.* The *Resolution* is

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now ready to sail, *etc.* *Signed*, E. Dummer. *Endorsed*, Reed. Read 24th May, 1711. 1 p. [*C.O.* 323, 7. No. 13.]

May 22.  
Boston,  
New England.

**850.** Governor Dudley to [? Lord Dartmouth.] There are none of H.M. ships in these Provinces bound to Great Britain to make a safe conveyance for our papers returnable into the offices till the coming home of the next mast fleet, but I am willing by every opportunity to acquaint your Lordship with the s[t]ate of these Provinces. The reduction of Port Royall has happily cut off the receptacle of the privateers upon the coast and the nearest supply of cloths and ammunition to the Indian Rebels in our neighbourhood, but Canada yet remains their last refuge, which I am humbly of opinion would be easily reduced wth. a proper strength of ships and troops as I have always humbly represented ; but having no directions from your Lordship refering thereto I am fearfull this summer will pass over. Because if H.M. shall please to command any forces from hence, if we have not the advice in ten days more, it will be allmost impossible to be seasonably ready for so distant a descent and so difficult a river. In the meantime I have all the frontieers of both Provinces well guarded and marching partys everywhere in a long frontieer of 200 miles to meet and prevent their incursions and shall cut up their corn and visit their fishing places to put them to distress, and shall obey H.M. commands, if I may have the honour to receive them for any further or more distant service, and hope the people will cheerfully obey, having been hithertoo during the war equally drawn out of the files and well subsisted and justly paid tho' they are under some discouragement by the loss of above 100 men left at Anopolis-Royall to strengthen the garison there, being not used to live upon dry provisions, *etc.* *Signed*, J. Dudley. 2 pp. [*C.O.* 5, 898. No. 8.]

May 24.  
Kensington.

**851.** H.M. Warrant extending John Perrie's leave of absence for one year from Aug. 1st next, he appointing a deputy as Provost Marshal of the Leeward Islands, *etc.* *Countersigned*, Dartmouth. [*C.O.* 324, 32. pp. 83, 84.]

May 24.

**852.** List of 27 licences of absence from their posts granted to Officers in America since H.M. reign (July, 1702–May, 1711.) *Endorsed*, July 6, 1711. 4 pp. [*C.O.* 5, 4. No. 3.]

May 25.  
Woodcote.

**853.** Lord Baltimore to Mr. Popple. I will waite on you at your house Munday evening, in order to beg of theire Lordps. to fix Wednesday or Thursday next for ye hearing, *etc.* Your great favour herein I acknowledge as becomes, Sr., your obliged faithfull servt. *Signed*, C. Baltimore. *Endorsed*, Reed. 25th, Read 28th May, 1711. *Holograph. Sealed. Addressed*, To William Popple Esq., *etc.*, at his house in Tibbolds Row (=Theobald's Road) nere Red Lyon Square. 1 p. [*C.O.* 5, 717. No. 34.]

May 25.  
Whitehall.

**854.** Council of Trade and Plantations to Lord Dartmouth. *Reply to letter of April 2*, which came not to hand till the 18th

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instant. We have examin'd our books, and do not find that there is at present any vacancy in the Councill of New York. However having had a good character of Mr. Byerley we have no objection why H.M. may not appoint him a Member of that Councill upon the first vacancy that shall happen. *Autograph signatures.* 1 p. [C.O. 5, 1084. No. 46; and 5, 1122. pp. 326, 327.]

May 25.  
New London.

**855.** Major Livingston to General Nicholson. I was on my voyage for Brittain but stormy weather forced us to return for Boston, *etc.* It was thought advisable for me to stay, having then a report of your Excellency's coming to renew ye Expedition for Canada, and ye season of ye year being so far spent yt. I must of necessity miss of you in Great Brittain; which would have proved a disappointment to ye service, and me alsoe. I forwarded your packett from Coll. Vetch, with my Journall and observations for Great Brittain under ye care of Capt. John Dean, who went passenger in the *Speedwell* galley. I now send copy per ye *Royall Anne* packett; shall follow mysele per ye next opportunity, (if I receive no orders to ye contrary) in order to give yr. Excellency a full account of my negotiation with ye Govr. of Canada (and my observations which I dare not commit to paper) I should have come with this packett, but am indisposed, being not as yett gott over ye fatigues of my journey. I have no news as yet from Canada, concerning my man Simon Burton, whom I left sick there, last winter in an Hospitall; have not heard from Annapolis Royall since Aprill 4th, they have lost by sickness, as Col. Whiting informs me 130 men. I hope my case will have your smiles, in order to obtain my desires, wch. is to live and die under your command. *Signed*, Jno. Livingston. 2 pp. [C.O. 5, 931. No. 9.]

May 25.  
Whitehall.

**856.** Mr. Popple to Mr. Lillington. *Encloses* duplicate of letter of Jan. 19th sent by the *Frankland* packet-boat, (which having been taken and carryed into France, and the letters thrown overboard, I inclose another copy thereof). *Acknowledges* letters *etc.* of Jan. 27 and Feb. 16, which the Council of Trade and Plantations will take into consideration, and such directions will be given thereupon, as shall be found necessary. In the meanwhile, upon enquiry into that matter at the Lord Dartmouth's Office, it does appear that H.M. pleasure, concerning the nomination of a Treasurer, has been sent you by two different conveyances, and lest they both may have miscarried a duplicate thereof will be sent by the packet boat, which brings you this. It being now about a month since Mr. Lowther went from hence, I doubt not but he will be arrived at Barbados before this can come to your hand. [C.O. 29, 12. pp. 350-352.]

May 27.  
Spa. Towne.

**857.** Governor Handasyd to the Council of Trade and Plantations. Since my last of the 19th inst. by the packett this comes to acquaint you that H.M.S. the *Jersey*, Capt. Vernon Commander, brought in here the 23rd inst. a French merchant-

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ship that had been trading on the Spanish coast ; shee had mounted 30 gunns and 120 men. What was in her, I have not yett been informed ; the Capt. of the French ship says that Monsr. Du Cass sayled from Port Lewis for Carthageen the 29th inst., and gives the following acct. of the shipp that are wth. him ;—*St. Michell*, 74 guns ; *L' Hercule*, 60 ; *Le Griffin*, 50 ; one frigot, 24 ; one frigot, 20. They likewise say that he will make no stay, but immediatly sail with the galloons, *etc.* I am apprehensive if our men of war were here they would not be in a condition to oppose them, but I hope care will be taken to intersept them before they gett home. There is not one man of war in the Harbor. Comadore Littleton has order'd the *Jersey* out again. *Signed*, Tho. Handasyd. *Endorsed*, Reed. July 28th, Read Sept. 12th, 1711. *Addressed*. *Postmark*. 1 p. [C.O. 137, 9. No. 42 ; and 138, 13. p. 343.]

May 27. **858.** Same to Lord Dartmouth. *Duplicate of preceding.*  
Spanish Towne. [C.O. 137, 51. No. 43.]

May 28. **859.** George Clarke, Secretary of New York, to the Council of  
New York. Trade and Plantations. H.E. Coll. Hunter being called on by the season of the year to set the Palatins to work on preparing the pine trees, left me his commands in case he should not return before this packet sailed to acquaint your Lordships that he is upon that service, desirous by his presence to encourage, and to be a witness to their first labours. He has also commanded me to inform your Lordships of some other things relating to this Government. The Assembly being dissolved (*v.* May 7), he did with the first convenience after, by the Council's advice issue writs for the election of another to meet June 10th ; there's but little hopes of such alteration by this new choice as may make a majority of sober and considerate men, who weighing the circumstances of H.M. Governmt. with honest and dutifull minds may again settle the Revenue for its support, however H.E. is resolved to leave no means unattempted, and the country no excuse. Our affairs with the Indians have at this time likewise a very ill aspect. The Governour of Canada has lately sent to our Five Nations some officers and soldiers with a large present, who after having assembled and made several propositions to them gave them the present to the value of about £600 mostly in ammunition. *Refers to enclosure.* So soon as H.E. had notice that these French officers were at Onondago, he dispatcht Col. Schuyler thither with instructions, what to negotiate with the Indians, but has yet received no account from him. Your Lordps. will perceive the French are building a fortification at Onondago by their permission, which I fear is only a begining for more, the neutrality that has been observed between them this warr has given our enemy the opportunity of thus corrupting our Indians ; and the country seem generally averse to a rupture between them, and rather then be at the expence of supplying them with amunition in such a case, and defending their frontiers, which must necessarily follow, choose to sit contented under this precarious security,

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without even so much as raising any money for presents to such of the Indians whose fidelity may deserve them, and the presents H.E. brought with [*him*] being almost all disposed of that way, and for spys last winter, (for whom the Assembly made no provision) there's now left to trust to but the faith of these salvages, and how much that is shaken already, is but too evident from these proceedings. H.E. having appointed a Committee of the Council to digest the table of fees of 1693, and the ordinance past by him in Council into such a method as the difference between them might be observed, they met upon it, but finding it impracticable by reason of the deficiency of so many necessary articles in the first, and besides never having had it under their consideration, and for that reason too, tho' they perused it, made their report to H.E., *enclosed*. The fees of all the officers, as well as the practicers of the Law are by this ordinance reduced too low, but the Council could not be brought to make them higher, so H.E. was obliged to establish them as they are or not at all. *Signed*, Geo. Clarke. *Endorsed*, Recd. 11th, Read 12th July. 1711. 3 pp. *Enclosed*,

- 859. i. Copy of Report from a Committee of Council of New York, appointed to consider the table of fees, 1693 *etc.* May 15, 1711. *Endorsed*, Recd. July 11, 1711. 2 $\frac{3}{4}$  pp.
- 859. ii. Account of the fees taken in the Supreme Court at New York. *Endorsed as preceding*. 3 pp. [*C.O.* 5, 1050. *Nos.* 24, 24 i., ii; and (*without enclosures*) 5, 1122. pp. 398-402.]

[May 28.]

**860.** Abstract of Col. Dudley's last letter to Mr. Newman. In May last I received the Order of Council appointing Mr. Waldron one of the Council of Piscataqua, with another of the same import and form for Capt. Hunkins, dated March 31, 1709, with that only difference that my Lord Sunderland should prepare that warrant as Sir C. Hedges was to prepare Mr. Waldron's. At the time of the arrival of these two Orders, I was reduced so low in Council, that I had only *seven members, three of whom are incapacitated by age or gout*. And the quorum of the Council to make a sitting number being five, I have been many days at Piscataqua without being able to hold a Council. The orders coming fresh to me from the Clerk of the Council's Office both signed by Mr. Southwell, I thought I might make use of those gentlemen and accordingly order'd them to be sworn, and since that, they have assisted only at one Assembly for the raising of money for the payment of the Port Royal Expedition, and without whome I could not have holden the Assembly nor obtain'd the money of the Province. I thought H.M. service required me to use all means to carry on the affairs, notwithstanding which Mr. Usher, Lt. Governour of that Province, a few days since just before the fleet sail'd, held a Council where he could get but four members present whereof Mr. Waldron was one, and finding that the Order of Council was not followed by a warrant from Sr. Charles Hedges, there being a displeasure between Mr. Waldron and himself, has suspended Mr. Waldron, and to be sure by the

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mast fleet which sail'd before I knew it so as to write has represented that matter as a breach on my part. I desire you to visit Mr. Popple, who I suppose is yet Secretary, and pray him to assure their Lordships that I used those persons as being so allowed by H.M., and without whom I could not possibly have held a General Assembly to raise the money for the payment of the forces, and the Governmt. must have suffer'd, and the soldiers ready enough to mutiny if their money had not been rais'd and pay'd, and those Gentlemen do by this conveyance write to you, and their friends to attend my Lord Dartmouth for the necessary warrant, untill which time I shall direct Mr. Waldron not to attend in Councill, tho I shall want him being the first estate in the Province, a gentleman of good loyalty, and capacity, inferior to none. I have written to their Lordships as they have commanded a number of names to make up the Councill, twelve of the best men in the Province, and if I were to give twelve names more I must give the names of handycraftsmen and labourers, there being not that I know of in the province that number worth £20 a year in lands to support their figure. *A true copy, signed, Henry Newman. Endorsed, Reed. 28th, Read 30th, May, 1711. 2½ pp. [C.O. 5, 865. No. 64.]*

May 29.  
New York.

**861.** Mr. Sharpas to [*? Lord Dartmouth.*] The inclosed came to my hands extreemly shatter'd and wett and lyable to the view of any person whose curiosity excited them to the knowledge of the contents, *etc. Signed, Will. Sharpas. 1 p. (No enclosure). [C.O. 5, 1084. No. 47.]*

May 30.  
N. York.

**862.** George Clarke to [*? Lord Dartmouth.*] *Encloses following, by which your Lordship will perceive to what a turbulent disposition these poor people are brought by the malice of ill designing men; one would have thought it had been the interest of every man in this Province to incourage them in the labour they were designed for, which in time may make this a very flourishing place, and so it is, as it respects the Publick, but some have their by-ends to pursue, to which they make all publick considerations subservient, those on the frontiers would have them posted between them and the enemy to be a frontier to them, others have large traets of land to setle, and would have them abandon'd that they may become their slaves, and in short few are to be found, who do not wish differently, most as their interest is concerned, and some to gratify the rancour of their minds; But H.E. has yet good hopes of their reformation, etc. Repeats parts of following. Signed, Geo. Clarke. 2 pp. [C.O. 5, 1091. No. 36.]*

May 30.  
N. York.

**863.** George Clarke to the Council of Trade and Plantations. Since I closed my other letter (May 28) I have received a full and particular account of the deportment of the Palatines, *etc.* About a fortnight agoe H.E. haveing received information from their overseers that these people had taken a resolution neither to work in making pitch and tarr nor to remain on the land they

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are settled upon for that purpose, but even by force if they could not otherwise effect it to remove to Schohary (a tract of resumed lands) and that they had actually hindered the Surveyors from laying out more lots to them, strengthening each other in these resolutions by a secret association, H.E. was forced to send for a detachment of 60 men from the Garrison of Albany to meet him at the Manner of Levingston, which is about two miles from their settlement on the west side of the river, so soon as H.E. arrived there he sent to all the villages on that side of the river to know how they dared disobey his orders and hinder the Surveyors and other officers to doe their duty. By their deputys they return'd for answer, that when the Surveyors came to lay out the land, the people called them out, told them 'twas worth nothing, they would have no more, so 'twas needless to survey it, and that they would have the lands of Schohary, which the Queen had order'd them by their contract. H.E. replied that he had often told them that if any man by chance had a bad lot, the Surveyors on application would lay him out another as they were ordered, that those who had clear'd what was given them, might upon application to the Surveyors have more, and if what he had already purchas'd was not sufficient, he would purchase more, provided it lay on the river, and near the Pines that they might follow the manufacture they were destin'd for and oblig'd to by their contract : that as to the lands of Schohary its the malice of those who would have them for their slaves that put them on demanding it, for that those lands the Indians had not [not] yet parted with nor were they fit for their labour, no pine being within 20 miles of it, that 'twould be impossible to subsist them there or defend them against the French and French Indians, and besides they had obliged themselves to settle on such lands as he should assign them, and then desired their final answer which was that they would have the lands appointed them by the Queen, whereupon H.E. in writeing told them that since neither their duty, allegiance, or regard to H.M. unparallel'd charity and goodness in taking them up and provideing for them when they were starving and abandon'd by all the world besides had been of any force to keep them within the bounds of their duty, and since they had no regard to a solemn contract signed by them he was come to require and inforce the execution of it, copys and translations of which they had in their own language. Then H.E. desired that what past between them, copys whereof were then given them, might be communicated to the people, and their last resolution and final answer the next day at four in the evening. A few minutes after the Deputys were gon, H.E. was informed that a body of three or four hundred of them were then passing the brook the Deputys among whom were the Captains returned to him and in appearance seem'd softned and then went to the people who were drawn up on the hill above the house towards whom H.E. marching with the detachment one of the Commissarys who had been with them told him they wanted to pay their compliment to him, so H.E. walk'd up to them and ask'd them what they meant by appearing in arms, they told him what

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they had told the commissarys, whereupon H.E. order'd them home to their habitations, and being gone about a mile they discharg'd all their firelocks, but their saying they came to pay their compliments was only a pretence for they told two of their officers as they were going home that they came to relieve their deputys in case they had been confin'd. The next day the Deputys came according to order with their answer, which begins indeed with a desire that H.E. would assist them that they may be settled in the lands of Scohary, but they soon forgot that humble stile and told H.E. they had rather lose their lives immediately than remain where they are, that they are cheated by the contract, it not being the same that was read to them in England, there they say it run thus, that 7 years after they had had 40 acres a head given them they were to repay the Queen by hemp mast trees tarr and pitch or anything else, so that it may be no damage to any man in his family ; upon these terms they will perform the contract, but to be forc'd by another contract to remain on these lands all their lives, and work for H.M. for the ships' use, that they will never doe. What does it signify, they say, to promise them this land that they shall make pitch and tarr ? They will be obedient to the Queen, but they will have the promise kept that Mr. Cast read to them in High Dutch in England and upon that land which was promised them (they will be there) and if they cannot they desire three or four men may goe for England and lay their case before the Queen. They say likewise there are a great many things promised them, as clothing, household goods, working tools, which they desire to have. They say further their people dye for want of care, and proper remedys, and desire money to subsist themselves, and lastly yt. Mr. Cast told them he'd make them slaves, and therefore desire H.E. to appoint another in his room. Whilst H.E. was talking with the Deputys, he received information that there was a great body of men in arms on the other side of the brook, and having by that time a reinforcement of 70 men more, he march'd the detachment immediately, and pass'd the brook, the Palatines were run home to their houses, H.E. march'd to the first village, and order'd them to bring in all their arms, which they did immediately except a few, he could goe no farther that night but the next morning march'd to the other three villages on the same side of the river and disarm'd them all, and then returning to Mr. Levingston's sent orders to the villages on the other side to bring in their arms that day to the storehouse to be transported to him, which I beleive they have done, if they refus'd H.E. had in case of necessity [had] sloops ready to transport the detachment thither. It's hardly credible that men who reap so great a benefit as they doe by these people not only by the consumption of their provisions, but by the increase of strength should yet be so malicious to possess them with notions so injurious to themselves and prejudicial to H.M. interest, but yet it's so, and I beleive almost the only cause of their present discontents. The land they live on is generally good, producing so great a crop, that those farmers and men of skill in husbandry,

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who are honest enough to wish success to these people's labours, wonder how they could be wrought upon to complain of it, but great pains have been taken to magnify the goodness of that at Seohary above this, and to persuade them that if they once settle where they are, there is no prospect of their ever removeing, but if they refuse to doe that, and insist on their being planted on the other, ye Governour must give way to it, and by these means it is that they are arrived to this pitch of disobedience, which I hope will wear of now they are disarm'd of their firelocks, the power by which they hoped to force a compliance to their unreasonable humour. H.E. has published a declaration revokeing all military commissions and putting them intirely under the command of their overseers and directors as the Queen's hired servants, and all the good people amongst them who have been meerly misled and frightned by the turbulent to join in these tumults are better satisfied with that rule of Government. Whatsoever else they complain of, I dare be bold to affirm there are not many Planters in the Province so happy, so healthfull and so well cloth'd as they : nor could it well be otherwise considering how well they have been used, they have by their own choice three flesh and four flower days a week, a pound of beef a head or equivalent in pork and pease as long as they liked them, besides three quarters of a pound of the finest, or a pound of a courser sort of bread, which they please, and as good beer as any man in the Province drinks of at his table, of flower they have a pound a head with bread and beer, there is not one of their houses that is not hung round with provisions, and as to their c[l]othing everyone has had of shoes stocking kerseys shaggs and other sort of woollen such a quantity last winter as their occasions required, and now against the summer a sufficient quantity of linnen, the remainder is kept for their use to supply them as they want, which by such management will goe twice as far as by making one general distribution of the whole ; of tools they have had as many as they want, and a great many more have been made for them here, as particularly 200 barking irons. As to their dyeing indeed many did at their first coming tho' none for want of care or proper applications, but by diseases contracted on board, since they have been planted in the country, they have had as good a share of health as any people in the world, but all sicknes was likewise provided against there by doctors and medicines ; the want of anything I am sure is no cause of their turbulent behaviour, whatever the ease and plenty they have lived in is. The 24th instant Mr. Sacket who has been acquainted with the methods of preparing the trees, was to visit the woods in order to divide the work amongst the people, and then to teach the overseers how to bark the trees that they may instruct the people, so that now I suppose they are all at work and H.E. has great hopes of a thorough reformation. Mr. Bridger has given over all thoughts of attending this work on any other consideration then that of being hired to it, H.E. wrote to him to tell him the season of the year approached, and that it was high time he should be here, he answer'd if H.E. would defray his expenses he

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would. The Governour little expected such an answer considering the salary of £200 a year sterling allowed him as Surveyor of the Queen's woods, that by H.M. royal letter under her signet and sign manual, he is expresly commanded to attend that work, and that no salary is propos'd to be allow'd him for it by yr. Ldps.' representation; this put him upon makeing some farther enquiry after some who had been in the Eastern country, and acquainted themselves with their method of prepareing pine trees, and at length he met with this Mr. Sacket, who undertakes it, and I have very good hopes he will be able to effect it, for he talks more reasonably on that head then any man I have yet met with, however H.E. was willing to have Mr. Bridger too, because he was assigned to that work, and for that purpose wrote him two positive orders in each mentioning H.M. commands to him, but he still refuses unless on the abovementioned consideration. Had he come, H.E. would have reposed but little trust in him, for the method which he formerly proposed to bark the trees (as he published it in print) would not doe, it has been tryed in Jersey without effect and to the considerable damage of some men there, nor had he himself better success in Connecticut. Had he been unacquainted with the method of this work he ought to have been ingenuous in confessing it, that H.E. might sooner have inquired after some who are acquainted with it, and not have laid hold on that frivolous pretence to conceal his ignorance, which however is more excusable than his disobedience to the commands of so gracious a Queen, whose bread he has so long and as it appears so unworthily eaten *etc.* *Refers to enclosure.* H.E. designs to be at Albany the first of June to meet the Sachems. *Signed, Geo. Clarke. Endorsed, Recd. 11th. Read 12th July, 1711. 9 pp. Enclosed,*

863. i. Col. Schuyler to Governor Hunter. Albany, May 27, 1711. In obedience to your Excellency's Instructions, dated 29th past, I repaired towards Onondage the first of this instant, being accompanied by Capt. Johannis Roseboom and Joh(a)nnis Bleeker, Nicholas Schuyler, John Baptist van Eps, Interpreter, and four other men together with nine Indians, some from hence and others hyred by ye way. These doe accompany the Journall of my proceedings, which has been attended with a deal of pains and difficulties before I could overcome what is done; nay more then that I was obliged to promise to severall Indians a present of about 2 cwt., 30 shirts and 2 peices of strouds, that I desire your Excy. will be pleased to order up hither for them by the first opportunity, here being no such goods in store. I should be looth to give it of my owne haveing already to my sorry advanced so much for ye Governmt. Ye Sachims have desired me by seven hands of wampum to acquaint your Excellency that they are desirous to meet your Excelley. at Albany by ye first of ye next month, they make a generall complaint of ye dearness of pow(d)er, so that if your Excy. designs anything for them powder will be

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most acceptable. Monsieur Longuil it was said has made them a present valued about £600. I have as your Excy. directed sent out from Onondage two spys to Canada who will return by this Citty, have agreed with them for two stroud water blankets and one pair dito stockings to each. Wee return'd hither ye 15th, the account of expences *etc.* I shall take another time to lay before yor. Excellency. *Signed, P. Schuyler. Same endorsement. 1½ pp.*

863. ii. Commissioners for Indian Affairs to Governor Hunter. Albany, May 4, 1711. By the enclosed extract out of our Minutes your Excellency will see what ye French design to do at Onondage, how they are resolv'd to take possession there, if not prevented; we hope that Col. Schuyler will have that influence over the Indians to dissuade them from allowing such dangerous practices, *etc.* If we had not had some things in store weh. your Excy. brought over it would have been a hard task to fitted them out, so bare are ye fronteers now of either money or credit, we see that our enemy who are always vigilant spare neither cost nor trouble to effect their ends, and we are almost rendred incabable to do anything for ye publick good, if there be not effectuell means taken to defeat ye french designs it will prove extream dangerous, not only to us but all ye Brittish Plantacons in North America, *etc.* *Signed, Hend. Hanlen, John Schuler, Mynder Schuyler, Peter Van Brugh. Same endorsement. 1 p. [C.O. 5, 1050. Nos. 25, 25 i., ii; and (without enclosures) 5, 1122. pp. 402-415.]*

May 31.  
N. York.

**864.** George Clarke to the Council of Trade and Plantations. I have just now received some further intelligence from H.E. concerning the Palatins, of a very different nature *etc.* After H.E. had disarmed them, he sent back the detachment to Albany, and the sober and better sort of people who are likewise the majority, being secured from the rage of the hot-headed, unthinking, and misguided, met together to debate on their former proceedings, and with a general consent came to this resolution, to acknowledge their faults, ask H.E. pardon, and signify their hearty repentance. Accordingly all the villages by their deputys waited on him and, some of them on their knees, asked his pardon, and promised a thorough reformation of their behaviour, and an entire resignation to his orders for the future, whereupon H.E. pardon'd them, with this certification, that the first disobedience shall be punished with the utmost rigor the Law will allow, which they received with great joy, and now they begin to demonstrate their sincerity by inquiring when they shall be set to work, and shew a great desire to make a good beginning on it. Mr. Sacket has visited the woods, and finding them perfectly to his mind, resolved to set them to work in barking the trees on Monday last, so that by the next packet I doubt not H.E. will be able to give your Lordps. a relation of their labour, as will be very satisfactory

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to you. However perplexing this tumult has been to H.E., it will have very good effects as to H.M. interest, for he will put them under a new and more exact method of obedience, which the good express a great inclination for, for tho' they are more numerous then the bad, yet the latter by their noise and heats have drawn or forced in the rest, which now their arms are taken from them they want the power to do, if they had the will, but I hope and believe they will not attempt it again, their repentance appearing very hearty. The submissions of the respective villages being in High Dutch cannot now be laid before your Lordps., but by the next packet they shall. *Refers to enclosure. Signed, Geo. Clarke. Endorsed, Recd. 11th, Read 12th July, 1711. 3 pp. Enclosed,*

864. i. Journal of Col. Schuyler's negotiations with the Indians at Onondage (*v. No. 863 i.*) May 2nd we left Schin-nechtady and came to the first Castle of the Mohoggs, where I receiv'd intelligence that the French Gentm. Monsr. Longuil had been 14 days come to Onnondage and busie building a house, and had sent a canoe back to Cadarachque. The 3rd do. we gott to Canojoharrie, the second Castle of that country and in a meeting of the Sachims and convien'd, desired two of them and some of their young men to goe with us in company to Onnondage, and presented them with the Queen's arms to be sett up in their Castle as a token from H.M., which they gratefully accepted, but appointed none to goe with me. The 4th do. we came about 30 miles beyond the Mohoggs Castles towards Oneyde Castle. The 5th do. we proceeded on our journey to Oneyde and mett with an Indian who gave us intelligence that Lawrence Clase, our Interpreter, had left Onnondage two days agoe, and that Monsr. Longuil was still there, and design'd to tarry four days longer, and that Tagtagguisera, one of the cheiff Sachims of Caguawage in Canada was at Oneyde to delude that nation if possible. The 6th do. we came to Oneyde, the Sachims being convey'd, I presented to them the Queen's arms, and told them that at their request, and by H.E. Order I was now come, and going to the meeting in Onnondage, and desired them to send with me some Sachims and men thither, which they readily consented to, and directed 3 Sachims and a number of their young men to accompany us to Onnondage. The 7th do. on my journey to Onnondage we mett severall Indians design'd for Albany, they told us that as soon as Mons. Longuil heard I was by the way [*he*] ceased building up the blockhouse and made the best of his way from thence to a place called Canenda by the Lake where his canoes were, and left word if I were min[*ded* ?] to speak to him, he would tarry there for me, in the evening about 7 o'clock we came to Onnondage, where the Sachims frindly received us. The 8th do. the Sachims of the Five Nations convey'd and desired my presence with

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the other Gentm., Capt. Roseboom and Capt. Bleeker there, when come they made the following propositions, vizt.— Brother Corlaer and Quieder, [*? We shall in*] the first place beginn and tell the evill news, [*? we have*] heard from some of our people that have lately been with that Nacon of Indians called the Minquase, who told them that Corlaer and Ommondio, the latter the Governor of Canada, are now agreed to distroy the five Nations, and that this contrivance has been long on foot between them, but now resolved upon on purpose to gett our land, being land is searse to be gott at home, and it is beleived the more because the French men were admitted to pass freely through Albany the last winter, and now take upon them to build in our Castle, there is also added to that news that Corlaer and Quider are to invite the Sachims of the five Nations to Albanie with a design when come there to kill them and to take possession of our lands and divide it with the French, this we have also told to Monsr. Longuiel who answer'd that the French would not be concern'd in any such doeing, but that the English would doe it, which makes us jealous of it is because powder is so very dear. We have heard likewise of such a design by Oriojadricko now here from Canada, who was told this by a prisoner taken the last spring from N. England near the sea side. We shall now repeat to you what Monsieur Longuiel from Governor of Canada has been telling us, vizt., Children, I shall now speake to you not only from myself but on behalf of all other Nations of Indians in alligance with me, what is past and done by us heretofore you must forgett and forgive, and lett us now renew our Covenant and take no notice of evill insinuacons from your neighbours, wee mean Corlaer. It may happen that Corlaer and Quieder in a short time will give you the hatchett in hand agt. us. We desire you not to accept or take it, for it is the English and French warr, and at the end thereof they will become friends, but you are a dead people if you accept the hatchet otherwise you shall live, therefore lett English and French fight it out, and be not concern'd either on one side or the other, doe you not observe yourselves like prisoners or slaves whatever you have a mind should be done for you by Corlaer or Quidier that noe notice is taken thereof, or doe you not see that they and we have a dayly conversacon with one another and goe to and thro Albany without your knowledge? O Children, I pity you and could wish that Corlaer and Quider were here to hear me. I have abundance to say in your behalf, is it not plain to be seen that they take no care of you nor of your country. It is the beavers they only aim at and want to have and your assistance when they want it, but seldom return you any. It is I that have com-

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passion over the Five Nations and esteem you valuable (giving a hard stamp on the ground) therefore hold peace with me and so you with your brother. It is I that commiserate your young men, your wives and children and all that belong to you. There is Corlaer and Quieder has given the hatchett into the hands of the River Indians, I shall watch their mocon though I value them but litle for with the fying of one great gun, I can soon scare them away, now perhaps Corlaer will send out towards our parts, may be we shall send towards his parts for a sekalp or prisoner, when it so happens we desire you to sitt quiett in peace and concern you not in warr for so doeing you'll preserve your lives. You soldiers and young men hearken to the Sachims for they are men of knowledge and understand to govern yr. Country, [*thus ?*] long will you hold a peaceable life. I know you are warlike men, yet it becomes you to give ear to the old and forbear drunkenness. You women be sure to diswade your soldiers from fighting that losse of them is towards the losse of yr. land, and will bring forth much grieve to you. I have sent for the Waganhaes, some of them have committed murthier at Cadarachque, and also for all the upper nacons whom I have given the hatchett. And from you I desire two Sachims of each Nacon to goe with me to Ca[nada ?] to hear what I shall propose to the Waganhaes.

*Answer from the Five Nations to Monsr. Longuil in Onnondage* :—We have the same compassion with the Governor of Canada as he hath with us. You desire us not to take the hatchett in hand [*?*] not to doe it, but as to what you tell us that Corlaer and Quieder have given the [*? hatchet*] to the River Indians, that we cannot beleive, it may be to the Boston [*? Indians*] or them more to the Eastward under the English Govermt. which if so is w[ith a *?*] great deal of reason, since you have given the hatchett to all your Indians [*? against*] them. You seem to be commiserated with us even as if our Brother Corlaer and Quieder used us uncivilly, which they do not, but have severall times [*? been*] used so by you, and often times had warr with you occasion'd first from [*you. The ?*] like has not yett happen'd with our Brethren Corlaer and Quieder, and hope [*never ?*] shall, but have allways agreed in love and frindship together. Our young [*men are ?*] generally obedient to us and observe our commands, altho the Waganhaes have [*now?*] twelf times fallen upon us and kill'd of our men we suppose through your [*? means*] for the sake of the Beavers, which we cannot so easily forgett, and are appre[hensive?] that you have some evill design by sending for the Waganhaes perhaps to [*fall ?*] upon us, for we know you are deceitfull and not to be trusted, you desire us not to

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accept of the hatchett when offer'd to us, we likewise desire you to take the hatchett from your Indians, and lett Christians fight Christians, only otherwise you cannot expect that we shall sitt quiett while you send out your Indians whom you must pay well for their pains. Give one belt of wampum.

The 9th do. I desired a meeting of the Sachims of the Five Nations to whom when convien'd I told them, Brethren, upon the seven hands of wampum which you sent desiring me here, H.E. the Govr. yr. Brother Corlaer has forthwith directed me to repair to you and to thank you for the notice given to this Governmt. of the arrivall of the French in yr. Castles, and that yr. Brother Corlaer expects yr. alligance to H.M. and yr. former promises that you will not permit any armed men, priest or emissarys from the French to come among you, and also that he expects you will have no private consults with any of those that were late among you, and that if any attempt be made agt. you from Canada you may assure yourselves of all the assistance this Governmt. can give you, the evill news you told me yesterday of the Minquase is altogether false, and not worth to make answer to, the seven belts of wampum which the French has layd before you, you have already answer'd so that I need not say any more of them, but Brethren what's the meaning hereof, why is this suffer'd that the French (who ever have been wrongfull to you) have now the liberty not only to come into yr. Castles but to build a defensive house in the midst of you, how are you now so blind or where are your thoughts that you can never see nor think of the ill consequence of this they have been doing here. I am resolved not to part from hence before it be broake clear down and distroy'd. Brethren, I have brought with me H.M. coat of arms, which I desire you to sett up here as a token that the French have no jurisdiction in your country, the like I have also here to be sent to Cayouge and the Sinnekis.

After this the meeting adjourned into a private consultation by themselves. In the mean time I was inform'd that Monsr. Longuil had given the sd. house to the care of an Sachim that was then gone out about 16 miles farr from the Castle, so that I thought necessary to goe to the expence to send for him, who came in at 6 a clock in the evening. I made it my intrest to gaine his consent as likewise of many others that were well affected yet not without the promise of suitable returns for their pains. The 10th do. the Sachims came to my lodging in the morning, and told me they had forgott an Article in Monsr. Longuil's proposicon, that was if in case the five Nations would not stay home they had other nacons besides the Waganhaes at their command, the sd. Sachims reply of more nations we know also of

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many in Covenant with us, so that such threatnings shall never be a means to break our allegiance to H.M. or the Covenant with her Governts. in America. And moreover told me that they had concluded to leave in my choice whether to destroy the blockhouse built by Monsr. Longuile or not, but that if I resolved to break it down, they in the mean time would send a messenger to him being at Cannende but 12 miles off to give him notice thereof. I return'd them answer that I was very glade they comply'd with my resolucon, and if they thought fitt to send word to Monsr. Longuil they might tell him that I was now busie in pulling it down, so that I immediately order'd those that accompanied me to breake it downe and was quickly done and the Sachims sent forthwith such word to Monsr. Longuile and to the Cayouges and Sinnekes country of my proceedings, th[at ?] Longuil sent an Indian messenger to the Sachims that they should w[ell ?] inform him what I have proposed and done there, and withall if I would allow the Sachims to send him such answer. The 11th they proposed as followeth, Brother Corlaer and Quieder, we are now convien'd again, and you see wee have consented to all yr. de[?sires], so hope you'll comply with ours, first we find the prise of merchan[dise ?] so extraordinary dear especially powder, without that we are quite [? undone], therefore since our returns are so invaluable, we desire powder above all [? may] be afforded cheaper, and we likewise desire that the selling of strong drink [to] our people may be prohibited, whilst that layes in your power to doe. You have often given us the hatchet in hand to fight the French, you know wee have allwayes fought them as we did with you once [ ] in Canada, and did there good service, tho' we have had but litle assistance [? from] when we have been attacqu'd. You have told us to diswade our soldiers from goeing out [? against the] far Nations, they often fall out upon us, yet you are unwilling [we shall] goe out agt. them, how shall we defend ourselves agt. them, with arrows we cannot and powder and lead is extraordinary dear with you, and now you have broak down this house which seem'd a defence to us, pray [? let us] not want powder and lead, so that we may supply ourselves to be in a readiness upon occasion. I reply'd that I should give yr. Excell. an account thereof, but they must be carefull for the future, and not admitt any French into their Castles, much less to erect any buildings, this Blockhouse was  $24\frac{1}{2}$  long and 18 foot broad cover'd with boards and nail'd, there was other wood ready to build a chappell, which I also destroy'd, and so took my leave and bid them farewell, presenting them with one kagg of rum 20g. was very acceptable, after I went about 3 or 400 yards D'kanasore came

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after me and desired to know the meaning of the Queen's coat of arms. I told him that that signify'd H.M. authority there, and that the French ought not to be permitted amongst them, on any account whatsoever, and so departed from Onmondage to Oneyde. The 12th do. we left Oneyde and mett a Sinneke that told me that the French Interpreter named Jounkeur being in the Sinnekes Country and hearing of our arrivall in Onmondage immediately departed from thence. The 13th and 14th do. continued on our journey and came the 15th to Albany. *Signed*, Pr. Schuyler. A true copy examin'd pr. Robt. Livingston, Secy. for ye Indn. Affaires. *Endorsed as preceding. Edges torn.* 6 pp. [C.O. 5, 1050. Nos. 26, 26 i: and (without enclosure) 5, 1122. pp. 415-418.]

May 31.  
N. York.

**865.** George Clarke to [? Lord Dartmouth.] *Encloses copy of preceding, and repeats part.* *Signed*, Geo. Clarke. 2 pp. [C.O. 5, 1091. Nos. 37, 38.]

June 2.  
Spanish Towne.

**866.** Governor Handasyd to the Council of Trade and Plantations. *Refers* to letter of May 27. The Assembly has passed the following Bills: (1) A private Act to enable Commrs. to dispose of part of the estate of Wm. Burras, of the parish of Vere, minor (2) a Bill for regulating fees (3) a Bill for fitting out 2 sloops for guarding the coast (4) An Act for declaring what persons shall be qualify'd to sit in Assemblies (5) An Act for continuing an Act for raising an additional duty *etc.* from May 1st, to Aug 1st, 1711. (6) An Act for providing an additional subsistence for H.M. Officers and Soldiers from May 1st to Aug 1st 1711. Which two last it was imposible to gett them to pass them for a long time, they pretending business of greater moment, and that they would take care to finish them for 12 months before that time was expired, but there hapning to be such a dispute between the House and the Councill this day about tacking a clause to a money bill to reimburse the Treary. with 2000*l.*, which the Councill after desireing conferences with the House and was denyed, the Councill thought fitt to throw out the bill, and this day with the advice and consent of the Councill. wee thought it convenient to prorogue them for 3 days to trye if it's posible to bring them to a better temper to do the Queen and the country service. As for my owne part, I must say I am very hardly us'd, since I am in arrear of my owne sallary a year and a half, which amounts to £3400 Jamaica money. All these disputes and misunderstandings in my oppinion is owing to Mr. Totterdall, who has been the same disturber in Sir W. Beeston's time and some time before that, and seems resolved still to continue in his wickedness. What our next meeting will produce a little time will shew; and at the time I prorogued them, I laid before them the ill consequences of such annamositys and divisions, with all the little eloquence I had to perswad them if posible to meet in a calm and sedate temper. *Refers* to enclosed Address, which wee request your

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Lordships will be pleased to cause to be laid before H.M. with the reasons *annexed*. Monsr. Du Case's squadron I am of oppinion if not already sayled will soon sayle with what money was on board the galloon, as also with what French Assiento money, belonging to the French merchants in those parts which is beleived is very considerable. Our Traders is returned from the costs and has brought with them 50 or 60,000 peices of eight, being affraid to stay any longer on that coast, since the enemy was so strong. I shall send the severall Acts so soon as they can be fare writt out by the first safe oppertunity of a man of war or otherwise, *etc.* Signed, Tho. Handasyd. Endorsed, Recd. July 28th, Read Sept. 12th, 1711. 2½ pp. Enclosed,

866. i. Address of the Governor, Council and Assembly of Jamaica to the Queen, June 2, 1711. Understanding that your Majesty has at this time under your Royall consideration the Trade to Affrica upon the establishment of which our estates in this your Majesty's Island and the welfare of this your Coloney do intirely depend, and being assured your Majesty will alwayes have a tender regard to the prosperity of all your good subjects, presume to acquaint your Majesty that we have for many yeares past found very great advantages from an open and free trade to Affrica, which we are under apprehensions would not only be lost to us from an exclusive trade, but that we should thereby be involved in insuperable difficulties. Besides all other inconveniences of monopolyes we humbly conceive it will be plain to your Majesty what extreame hardships we are like to suffer if it be in the power of a few men to rate our comodities as they think fitt, to furnish our marketts or suffer us to want as shall best suite their private gaine, to ingross entirely to themselves and their factors the Spanish Trade which alone can be carry'd on by a supply of negroes, and in all other particulars to render our interest in great measure dependent on their owne. And whither this will not have an ill consequence upon the trade of Great Britain in discouraging the exportation of its woollen manufactures and lessning the importation of bullion as well as of the comodities of the growth of your Majesty's plantations, we humbly submitt to your Majesty's wisdom, *etc. etc.* Signed, Tho. Handasyd; Silvester Stuckley, Cl. Con.; Pe. Beckford, Speaker. Endorsed as preceding. 1 large p.

866. ii. Council and Assembly of Jamaica to the Council of Trade and Plantations, June 2, 1711. Considerations offered in relation to the Affrican Company's obtaineing an exclusive trade to the coast of Guinea. (1) That an exclusive trade to the coast of Affrica will allwayes be carry'd on by the Company so as to underballance the trade of this Island, by which meanes the price of slaves must necessarily be advanced and the price of the comodities of the produce of the Island beat downe. (2)

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That the Company having that trade entirely in their owne hands, unless the planters will pay the exorbitant prices demanded by the Company's factors they will not be furnished with negroes necessary to carry on their Plantations. (3) That the consequence of an exclusive trade to the coast of Guinea will in effect be the establishing in the Company an exclusive trade likewise to the Spanish Coast, nothing being more evident than that no advantageous trade can be carry'd on thither by the British and particularly the woollen manufactures without negroes to putt them off and to defray the charges of transporting them, the supplying or withholding whereof will depend intirely on the pleasure of the Company. (4) That thereby we shall likewise be barr'd of a most beneficiall trade from this Island to the coast of Affrica, which employes a vast number of our saylors and takes of severall comodities of the growth of this Island, which otherwise would be of little or no use to us, the advantage whereof in the end centers in Great Britain. (5) That trade being reduc'd within so narrow a compass as that of an exclusive Company, the Navigation which is the principall strength of this Island must necessarily suffer, our Country already thin of people want encouragement and be rend'ed incapable of defending its self either against a foreigne or domestic enemy, besides our being deprived for the future of the many oppertunities we have hitherto enjoyed of remitting great quantitys of bullion yearly to Great Britain. *Signed*, Silvester Stuckley, Cl. Counl., Jer. Collins, Cl. Assem. *Same endorsement.* 1 large p. [C.O. 137, 9. Nos. 43, 43 i, ii; and (without enclosures) 138, 13. pp. 344-347.]

June 2. **867.** Governor Handasyd to Lord Dartmouth. *Duplicate*  
Spanish Towne. *of preceding letter.* [C.O. 137, 51. No. 44.]

June 2. **868.** Lt. Governor Hamilton to Lord Dartmouth. Here-  
Nevis. with your Lordship will receive copy of my last, [April 26th *Ed.*] in which I informed your Lordp. of the bad condition the man of warr was then in, the Capt. whereof since with his officers assured me that she was altogether unfitt for service except she was new rigged and had new sailes which could not be had anywhere but at Barbados, there being no storehouse of H.M. in any of these Islands, nor any undertakers for victualling, which proves vastly prejudiciall to H.M. service, for which reason I was obliged to let Capt. Norbury saile for Barbados, he assuring me that otherwise his ship must be haled up, and layd by, where I hope he has by this time allmost fitted and victualled her, and that I may dayly expect him downe, for there was never more want of men of warr on this station, wee having constantly the privateers as thick as bees about and amongst these islands, of which Mr. Bermingham mentioned in my former is the chief. But having

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already wrote you at large about this, I humbly leave it to your Lordps. consideration. I reced. advice last week from the Governor of St. Eustatia, a Dutch Island, that his son was then just arrived in a flagg of truce from Martinique, where he heard that the French were prepareing vessells and raising of men in order to attack some of these H.M. Islands, and yesterday arrived the private man of warr sloop called the *Francis and Mary*, Capt. Wm. Coventry, Commr., who took up two dayes agoe under Domineco a cannoa wth. Brittish prisoners most of them belonging to St. Christophers, that had broke out of prison in Martineco, who confirmed the news, and for particulars informed me that they did see out of prison (which is just at the road) the provisions amunition and water put on board, and that the French Generall came himselfe in person from Fort Royall to Fort St. Pieres, and that they did see the men pass en review and that it was talked of that they had 1500 men there, besides what were at Guardalope where they were to make up their fleet and joine their forces. Upon which I immediately impressed a fine sayling Bermudas sloop and dispatched her this day, to the Govr. or Presidt. of the Councill of Barbados, as also a letter to the Commandore of H.M. ships there desireing them to send downe with all expedition the ships on that station or at least so many as can be spared for a time on this so urgent an occasion and H.M. interest, which the wellfare of the inhabitants so much depended upon. I have put this Island in alarm and have one third of all the inhabitants every night upon duty, the rest in a readiness if anything should happen. I have wrote to the Lt. Govr. of St. Christopher's and strictly charged him to take particular care of the two forts that he may not be surprized. The President of Mountserratt (att which place Capt. Coventry first touched) writes me that he has given an account to the Lt. Governor of Antigua so that all the Islands have notice and I hope wee shall with the help of God frustrate their designes. I shall to the uttmst of my power discharge my duty, and as soon as our owne or one of the Barbados men of warr come to me, transport myselfe to the place where I hear their designe is, or the place attacked. In the meantime must content myselfe to be a kind of a prisoner. *Signed*, W. Hamilton. 2 pp. [C.O. 137, 51. No. 45; and 152, 42. No. 63.]

June 2.  
Nevis.

**869.** Same to the Council of Trade and Plantations. Duplicate of preceding. *Signed*, W. Hamilton. *Endorsed*, Recd. 13th, Read 17th July, 1711. 5 pp. [C.O. 152, 9. No. 73; and 153, 11. pp. 348-350.]

June 2.  
Kensington.

**870.** H.M. Warrant appointing Thomas Byerley Member of Council of New York, upon the first vacancy. *Countersigned*, Dartmouth. [C.O. 324, 32. pp. 84, 85.]

June 6.  
Craven House.

**871.** Instructions to Charles Craven, Governor of South Carolina. (a) As to the observation of Acts of Trade and Navigation, etc. (b) To consider with the Council the promotion of

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trade, manufactures and the fishery. (3. 4) To send a copy of all Acts of Assembly that have been confirmed, and accounts of Revenue. (5) By and with the advice and consent of any four or more of our Deputies to adjourn, prorogue and dissolve the General Assembly as often as you shall think requisite. (6) To appoint successors to officers in the Courts of Judicature, untill you have our approbation of them or nomination of others. (7) You are with the assistance of Col. Wm. Rhet, our present Receiver General, and Commissioners appointed for that purpose, to inspect the accounts of John Ashby and Nathaniel Sale, our late Receivers, and transmit the balance due to us. (8) You are to take great care that the Indians be not abused, and that justice be duly administred to them in our Courts, and that you endeavour your utmost to create a firm friendship with them, and to bring them over to your part for your better protection and defence against the enemy, the neighbouring French and Spaniards, against whom you are to protect our said province, and we assure you of our utmost assistance for your security. (9) To transmit as soon as you can conveniently get it handsomly transcribed a full and exact account of our yearly rents *etc.* (10) You are to take care that all persons may be admitted to peruse the Publick Records of our Province, provided they make such perusal in the place where the same are constantly kept, and pay the customary and usual fees. (11) You shall immediatly upon the receipt of these presents issue out your warrant to four of the inhabitants of Colleton County and four of Granvill County to sound the River of Port Royal and to examine which is the fittest place to fix a town upon, and to return the same into the Notaries Office, which return you are to transmit to us as soon as you shall receive the same. (12) Whereas it was agreed at our Board that the office of Surveyor General of South Carolina would be better executed by the several Surveyors of the respective Counties, you are to direct such persons to be the several Surveyors of each county as to you shall seem most proper, *etc.* *Signed*, Craven, Beaufort, Carteret, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 290. *pp.* 17-47.]

June 7.  
New York.

**872.** George Clarke, Secretary of New York, to the Council of Trade and Plantations. The winds which has hindred the packet from sailing this week has however been favourable in giving me the opportunity of doing myself the honor to acquaint your Lordps. that the Palatins are now demonstrating their sincere repentance of their past transgressions in a manner which will be very pleasing to you. They are and have been for several days past at work on the trees of which by computation they prepare 15000 a day ; the children are all likewise busy in gathering up the knots which will be burnt this year, and I doubt not a considerable quantity of tarr made of them. This is only on one side of the River, on the other they are likewise at work, but I have no particular account of their labours. By this your Lordps. may well believe the woods are full of this sort of trees, and easily gather from the number that is daily prepared that

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in due time this people will make such a quantity of tarr yearly as will not fall short of the expectation that was conceived ; nor indeed is it hardly possible it should, when there are trees sufficient for many years on the spot they are employed, and other tracts when this is done of very great extent commodiously seituated for transportation, and the people work with all the cheerfulness imaginable. It is almost the only satisfaction H.E. has in this Province, to see this great work go on with that promising success it does, for in other things he has met with all the opposition and discouragement which a people devoid of duty and ripe with defection could give him, nor is there any prospect of surmounting those difficulties by any measures on this side ; he has however the pleasure of serving the best of Queens, *etc.* H.E. is not yet returned, so that your Lordps. are troubled with this imperfect relation from me, *etc.* *Signed*, Geo. Clarke. *Endorsed*, Recd. 11th, Read 12th July, 1711. 2 pp. [C.O. 5, 1050. No. 23 ; and 5, 1122. pp. 396-398.]

June 7. **873.** Same to [? Lord Dartmouth.] *Encloses copy of preceding.*  
New York. *Signed*, Geo. Clarke. 2 pp. [C.O. 5, 1091. Nos. 39, 39 i.]

June 13. **874.** Commission and Instructions to Nevill Low to be Secretary of North Carolina. [C.O. 5, 290. p. 45.]

June 13. **875.** Commission and Instructions to Arthur Middleton to be Naval Officer of South Carolina. [C.O. 5, 290. p. 45.]

June 13. **876.** Warrant to the Governor of South Carolina to grant  
Craven House. 600 acres of land to Edward Crisp, at a quit rent of 6 shillings.  
*Signed*, Craven, Beaufort, Carteret, M. Ashley, J. Colleton,  
J. Danson. [C.O. 5, 290. p. 48.]

June 13. **877.** Mr. Lillington to the Council of Trade and Plantations.  
Barbados. I am now to enclose for yr. Ldps'. perusal the several papers relateing to the settlement of an exchange of prisoners, or cartell, wth. Martineque, for perceiving under what diffieulties the trade of this Island lay for want theirop, I advis'd with H.M. Councill, who were of opinion that the settlement of one would be very beneficiall to this place, and thereupon the Councill of Aprill 10th did unanimously appoint my eldest son and Jonathan Siston for persons to manage that treatie, who were furnish'd wth. such instructions as yr. Ldps. will find inclos'd, and the success as in Monsr. Philipeaux's in answere to me, so that I shall leave those papers to speak for themselves, and trouble yr. Ldps. no further hereon than my duty oblidges me to lay before you the reasons inducing me to treat for a cartell. We have from this Isld. a vast trade with the Northern Engl. Colonies, who take from us the produce of our country of all sorts, especially rum and melasses, for wch. they supply us with all kind of provisions, with cask horses and many other commodities, this trade is so beneficiall that without the constant supplys from thence of flower, basket, beef, pork, salt fish of all sorts *etc.* we could not subsist but must

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starve, the vessells bringing these goods are many, and mostly plantation built, and sail'd by the natives or inhabitants of these parts, who when they are taken into Martineque or any ye French Islands, are there kept in close and unwholesom prisons, very often for 6 months or a year enduring the many hardships allways attending such confinements., and (it maybe) the more impos'd on them by the enemie to force them to a change of their religion or allegiance (too often effected) wch. if they have the constancy and resolution to retain they are at last (almost starv'd and naked) sent in some of their own vessells for old France, where they have the same melancholly sceen acted over again for 6 or more months, and then are sent from St. Mallows in exchange boat for Plymo. or Portsmouth, where H.M. ships press them, and from thence are not to be releiv'd, but at the conclusion of the warr. and their familys in the meantime left starveing. This is my Lds. one amongst the many reasons wch. may be urg'd for the settlement of a cartell, and wch. is particularly adapted to the circumstances of the inhabitants of H.M. Colonies, and in a great measure may be urg'd for those, who are bound hither from Europe have the misfortune to fall into the enemies' hands. *Refers to enclosures* (ii.) which I recd. on the 9th inst. about 2 a clock in the afternoon, and so order'd matters that the next day noon the *Newcastle* Capt. Sampson Bourn recd. my orders for sailing to their releif, wth. a complemt. upwards of 400 men, but did not sail till 7 the next morning. On Sunday 10th, about 4 p.m. I recd. *enclosed* from Lt. General Hamilton, by wch. 'tis confirm'd that the storm threttens Antegua the more suspicious from the late disturbances there. H.M. other two ships, the *Guarnsey* and *Sweepstakes* attending this Governmt. have been on a cruize these three weeks, but the two express sloops are gon in search of them in order to their joyning the N. Castle, who if he alone meets the enemie has no greater force to engage than a shipp of 30 gunns and a parcell sloops and briganteens, so that the same time I acquaint yr. Ldps. of our fellow-subjects' danger, I may assure yr. Ldps. they are rescu'd from it. This Expedition of the enemies has once already recd. a check, for being about 10 days ago come out from Martineque in their way to Guardaloop to joyn their forces they were met by Capt. Bourn, who engag'd for two hours and a halfe the ship of 30 guns who shot his fore-mast in two places and in small winds got clere and put back into Martineque, and two days after was again met by one of the express sloops in their way to Guardaloop. My Lords, I have since my administraction of the affairs of this Government recd. H.M. pleasure in relation to a suspected illegall trade carried on from this Island to Martineque. I have as much in me lay endeavour'd to prevent and discover such a traitorous commerce and have been so happy as within this fortnight to apprehend one Mr. Thomas Lynch, against whome the evidence of two sailers is very strong. He should have been try'd at ye Grand Sessions wch. was to have been held at this time, but that in two of the parishes none of the persons nominated in the Commission have taken the o'ths of a J.P., so that the writs for returning 6

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freeholders in each parish, could not be legally executed by any persons of those parishes, for that and by reason of little or no business at that time the Legislature adjourned that Court till Xtmass next. The *Lucitania*, Capt. Holland, came in on the 11th inst. and tells us she left our London Fleet in lattitude of 38 steering for Madera. I could have wisht for their arrivall at this juncture, for we might then justly expect the entire destruction of the enimies forces on their expedition to Leward, wch. would vastly weaken their power in these parts and destroy their privateering trade, those forces consisting of the inhabitants of Martineque or Guardaloop. By reason of a violent fit of sickness, wch. has confin'd me to my house, and often to my bed, within these 4 months past, I have not been able to hold ye Councill and Chancery Courts so often as agreed with my inclinations and practize when I was in a better state of helth, however when I have been able to crawl downstairs, I have held them at my own house, and if I was not able at those times to go through the business of those days, I entirely confide in yr. Ldps.' goodness to impute it to my weak condition, under wch. I then and still do labour, etc. Signed, George Lillington. Recd. 28th July, Read Aug 1st, 1711. 4 pp. Enclosed,

877. i. Copy of correspondence between M. Phelypeaux, Governor of Martinique, and George Lillington, President of the Council of Barbados, relating to a cartel for the exchange of prisoners, arranged by Geo. Lillington junr. and Jonathan Sissons, May 15, 1711. Endorsed, Recd. July 28, 1711. 3½ pp.

877. ii. (a) Lt. Governor Yeamans to the President of Barbados. Antigua, June 3, 1711. I am concerned to be under this present necessity of troubling yr. Honour in my owne name, ye Lt. Generall being att Nevis. Last night I recd. an express from ye President of Mountserratt (*enclosed*), wherein you will find ye reasonableness of this my request wch. followes, the Councill and Assembly joynes wth. me therein, wch. is that you'll be pleased to order a couple of men of warr or one wth. ours yt. are there immediately to be sent downe, wch. will undoubtedly frustrate all ye enemies designes. This Sr. is absolutely for H.M. service and in all probability may save these H.M. Islands. But expedition is wt. is most requisite, and delay will morally draw after it a great deal of evill, etc. Col. Thomas Morris, one of ye Councill, waits on yr. Honr. with this, who will further inform you of our present danger, wch. we conceive soe near yt. he this instant goes from ye Councill Board without seeing his famely or takeing any conveniencys wth. him, etc. Signed, John Yeamans.

(b) Thomas Lee, President of the Council of Mountserratt, to Lt. Governor Yeamans. Mountserratt, May 30, 1711. This morning arrived Capt. Coventry from cruizing under Martinique who about 14 days past sent his canow on shoar att Martinique wth. about 10

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men, who were all surprized and put in prison, where they had opportunity of discoursing with ye Gent. who went as hostages from Nevis, who told them yt. ye French were designed with one ship called ye *Rowland* and severall sloops to take on board 1500 men att Martinique, and from thence to goe to Guardaloope where they were to meet severall other sloops and take on board more men in order to attack Mountserratt or Antegua or both and shewed ye prisoners who were to command in cheife and severall other officers, and yt. if they attacked Antegua they would land at Falmouth, and yt. they were to part Martinique on Satturday or Sunday next; these men made their escape out of prison on Munday last att night and tooke a canow in order to come to some of ye Islands. but in ye morning saw Capt. Coventry made to him and gott on board, who proceeded directly to this Island *etc.* He is gon downe this day wth. ye newes to ye Lt. Generall. P.S.—The prisoners say ye *Rowland* hath about 36 gunns. *Signed*, Thomas Lee. *Copies.* 1 p.

877. iii. Lt. Governor Hamilton to the President of the Council of Barbados. Nevis, June 2, 1711. I haveing certain information by way of St. Eustatias from a Dutch flagg of truce yt. arrived there some time last week from Martinique as also by severall Englishmen (*v. supra*), yt. ye French have a design for attacking some of these H.M. Islands (*etc. as supra*), I therefore desire and recommend to you as very much for H.M. service yt. you will order ye men of warr attending on yr. station or soe many of them as can be spared, forthwith to come downe in company with Capt. Norbury, H.M.S. *Larke*, (who I hope is now at your Island, whither he went for sayles *etc.*) to these Islands, and yt. they touch first att Antigua for intelligence, soe proceed to ye place where they hear ye enemy is, wch. I hope will not only prove or releife or protection to these Islands, for ye present, but deterr ye enemy for ye time to come from makeing any ye like attempts when they shall see ye readiness yt. each Government is in to assist ye other. All these things I recommend to your consideration, and begg yt. you will give it all dispatch *etc.*, haveing no man of warr here att all, or other vessells of force, not soe much as one yt. I dare trust myself in to be transported from one Island to ye other as you see ye present service soe much requires, *etc.* *Signed*, W. Hamilton. *Copy.* 1 p.

877. iv. Mr. Lillington to a Relation in London, June 12, 1711. *Refers to preceding.* According to their desire, I sent them down immediatly, the *Newcastle*, Capt. Bourn of 50 odd guns, the only man of warr then in our Road, crowded with upwards of 400 men, who must destroy them if they have no other ship of force but that of

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30 guns ; who Capt. Bourn in his cruize, about 10 dayes agoe, engaged within pistol shot for  $2\frac{1}{2}$  hours ; which put the Expedition backward for two dayes, as we have advice. But how shee came not to bring her in, or sink her, the Lord knows. *Endorsed*, Reed. July 8, 1711. *Copy.*  $\frac{3}{4}$  p. [C.O. 28, 13. Nos. 61, 61 i.-iv.; and (without enclosures) 29, 12. pp. 355-363.]

June 13.  
Barbados.

**878.** Mr. Lillington to [? Lord Dartmouth.] *Repeats preceding. Signed*, G. Lillington. 2 pp. *Enclosed*,

878. i., ii. *Duplicates of enclosures Nos. i.-iii. preceding.* [C.O. 28, 43. Nos. 56, 57, 61.]

June 14.  
Annapolis  
Royall.

**879.** Col. Vetch to Lord Dartmouth. *Refers to previous letters and enclosures, and prays for punctual payment of bills, since H.M. Agent att Boston hath already advanced the money ; the ruinous and neglected condition I found this Fort in having had no supplys from France for 3 years before, which facilitated its reduction, proves the reason why it will be so expensive in its reparation, though all possible (nay more then reasonable) frugality is used. As to the civill state of affairs, the inhabitants in generall as well French as Indians continue still in a great ferment and uneassiness, those within the Banlieue (who are but few) that have taken the oath of alledgance are threatned by all the others who call them traytors and make them belive the French will soon recover the place and then they will all be ruined ; the Priests likewise who are numerous among them, and whom I cannott catch (save one sent to Boston) threaten them with their Ecclesiasticall vengeance for their subjection to Hereticks, so that untill H.M. shall be pleased both to give me orders and afford me a sufficient force to reduce the whole country to such terms as shee shall see meet to give them, wee cant expect any peaceable possession of thiss place. Wee have been much alarm'd all winter with designs of the Indians and French from Canada makeing ane attempt upon us, while the fortifications were so ruinous, which oblidged us to verry servere duty, which with the cold weather and new climate made the Garison verry sickly these last two months, so that wee have lost since the Garison was modeld by death mostly and desertion about 116 men, severall of the marines who are Irish Papists having been prevailed upon by the French to desert, and are by theirs and the Indians' assistance conveyed to Canada and Placentia, the neighbourhood of which two places will prove verry dangerous to this Government unless the Garison be allways kept att least 500 good effective men and besides the brigantine that now attends there. Likewise a man of warr of 40 or 50 gunns constantly to guard this coast, which is now much infested with privateers, while I am under a necessity to keep the brigantine constantly employed to keep the communication open betwixt us and Boston : and for whom I am in fear every day least shee should meet with something too strong for her, and then wee are in a manner blockt up. So that I must entreat your Lordship and*

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the Ministry (if there be not one already ordred) to direct the Lords of the Admiralty to send a friggatt of good force of 40 gunns att least to attend this station, together with the small brigantine wee have to be continued as a convoy for our victuallers betwixt this and Boston, thiss is what in my humble opinion will be absolutely necessary for the security of thiss Government untill the reduction of Canada and Placentia. I waite with impatience H.M. orders with relation to the inhabitants as well as the modouling of the Garison, the uncertainty of both which creates me a great deall of trouble, for the former uncertain of their fate are verry uneasy, and the latter being composed of so many different detachments uncertain of their stay fall verry often into disputes about command precedency and other nicietys, which creates a great many heats amongst both officers and souldiers, which their being form'd into a Regiment (as was proposd most humbly to H.M. by the Councell of Warr) would intirely remedy, which I begg your Lordshipp to second, together with the rest of the inclosed establishment, which are all absolutly necessary in so frontier and exposed a garison. I would have by the former opportunitys transemitted this proposeall of ane establishment, had not the hopes of the Expedition against Canada as being revived hindred me, *etc.* *Prays for speedy and particular directions, etc.* Signed, Sam. Vetch. *Postscript.* Since writting the above wee find ourselves every day more and more infested with the sekulking Indians, who have pilaged and robb'd severall of the French inhabitants within the Banliu because they were employed in cutting of trees and other necessarys for the fortifications, which none but the French are capable of doeing (not dairing to venture [*?ou*]r men in the woods but in a considerable body) but their being so frightened by the Indians who told them they were ordred by their Preists to plunder the French that helped the English to repair the fortifications doth verry much retard our work; and as it is impossible for us to prevent these sekulking partys which so plague us but by a party of Indians who are equal to them in the woods, so I cann forsee no way to procure us any safety without the Fort but if possible by obtaining ane hundred of the Indians of the Five Nations under the Government of New York, and as wee want above that number of what was and allways must be the compliment of the Garison untill Canada is reduced, so have wrote to the Governour of New York to countenance and permitt Major Livingston to raise such a number in the said Indians' country, who will cost H.M. litle more then what the other souldiers who are now dead or deserted would have done, unless it be some present to the Sachems, who shall bring them here along with Major Livingston, who hath a great intrest among them. But as I fear the aversness of that Government to allow or countenance the same without a positive order from H.M., so I would earnestly intreat your Lordship's for obtaining and transemittting the same as soon as possible, and in case that does not prove effectuell, I begg your Lordship will obtain H.M. order for 100 of the best men out of four companys in Garison there to reinforce thiss place, they being in perfect peace there

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and in a well peopled country who can reinforce them upon any occasion ; whereas we have not one person to befriend us save what are within the garison and those including the sick near 200 men short of what allways should be, as well as a friggatt to attend here *etc.* *Signed*, Sam. Vetch. *Endorsed*, R. Sept. 20, 1711.  $3\frac{1}{2}$  pp. *Enclosed*,

879. i. State of H.M. Garrison of Annapolis Royal, June 1, 1711. *Total*, 449, (including 194 marines, and 87 officers, gunners *etc.*, upon the British establishment and 168 country troops that remained voluntarily.) *Signed*, Sam. Vetch. 1 large p. [*C.O.* 5, 9. *Nos.* 97, 98.]

June 14.  
Kensington.

**880.** Order of Queen in Council. An Instruction is to be prepared for the Governor of Maryland in accordance with the report of the Council of Trade relating to the Tobacco trade, May 8. *q.v.* *Signed*, John Povey. *Endorsed*, Reed. 20th, Read 22nd June, 1711.  $\frac{3}{4}$  p. [*C.O.* 5, 717. *No.* 37 ; and 5, 727. pp. 260, 261 ; and 5, 721. *No.* 11.]

June 14.  
Kensington.

**881.** Order of Queen in Council. Repealing two Acts of Maryland, *for appeals etc.*, as proposed May 8, *q.v.* *Signed and endorsed as preceding.* 2 pp. [*C.O.* 5, 717. *No.* 38 ; and 5, 727. pp. 262–264.]

June 14.  
Kensington.

**882.** Order of Queen in Council. A warrant is to be prepared for constituting Richard Lightfoot (*v.* April 13) a Member of Council of Antegoa. *Signed*, John Povey.  $1\frac{1}{4}$  pp. [*C.O.* 5, 11. *No.* 48.]

June 14.  
Kensington.

**883.** Order of Queen in Council. Referring the following to the Council of Trade and Plantations for their opinion. *Signed*, John Povey. *Endorsed*, Reed. 9th, Read 11th July, 1711. 1 p. *Enclosed*,

883. i. Lords Proprietors of Carolina to the Queen. We have always given Instructions to our Governour of Carolina to appoint a Deputy Governor of that part of the Province that lies N. and W. of Cape Feare by reason that the great extent of that country and the necessity of corresponding and trafficking with the severall nations of the Indians there, does require such a distinct Government. The inhabitants of that part of the Province have lately apply'd themselves to us on that behalf. We therefore desire your Majesty's approbation for Edward Hyde to be Depty. Governor of North Carolina. *Signed*, Craven, Beaufort, Carteret, M. Ashley, J. Colleton, J. Danson.  $1\frac{3}{4}$  pp. [*C.O.* 5, 1264. *Nos.* 117, 117 i ; and 5, 1292. pp. 311–313.]

June 15.  
Annapolis  
Royall in  
Nova Scotia.

**884.** Col. Vetch to Mr. Popple. *Returns thanks* for letter of Nov. 18th *etc.* I caused to cutt 20 masts [*for a*] tryall from 18 to 25 inches, which now ly reddy here, but when an opportunity

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will present to send them home, to be made tryall of, I cannot tell, there are some of much larger sise, but they being more remote from the water would occasion a greater expense then I am willing to venture without positive orders and directions wh[ere to] be reimbursed : there are here likewise in severall places copper mines of which I shall send home to their Lordships a specimen by the first vessell to great Brittan from hence. Marable wee have here in very great plenty very fine and of all colours, wee make all our lime of the white which is extreemly fine, in short thiss country wants nothing but people and cultivation to make it a very great place : wee are very much infested by sculking partys of Indians, who are sent against us by the French of Canada and Placentia, who being elevated mightily with the pretended successes att home threaten the reduction of thiss place again befor winter ; but these are French bravadoes. Indeed their privateers are very troublesome and numerous upon our coast : and wee extreemly want a friggatt, which I dayly expect *etc.* *Signed*, Sam. Vetch. *Endorsed*, Recd. Sept. 21, Read Nov. 1, 1711. 1 p. [C.O. 5, 865. No. 70 ; and 5, 913. pp. 354-356 ; and 218, 1. pp. 20-22.]

June 16. **885.** H.M. Warrant appointing Richard Lightfoot to the  
Kensington. Council of Antegoa. *Countersigned*, Dartmouth. [C.O. 324, 32. p. 92.]

June 18. **886.** Board of Ordnance to the Council of Trade and Plan-  
Office of tations. Enclose following. *Signed*, C. Musgrave, W. Bridges,  
Ordnance. Ja. Craggs. *Endorsed*, Recd. 21st., Read 22nd June, 1711. 1 p.  
*Enclosed*,

886. i. Governor Hunter to the Duke of Marlborough. New York, May 7, 1711. Your Grace will perceive by the inclosed report of two of the gentlemen of the Councill, whome I appointed to view the stores in this garrison, what a miserable condition wee are in, without small arms, without byonetts, without swords, and without cartouch boxes, and of powder and everything so small a quantity, that I dread the thoughts of the approach of an enemy. I pray your Grace to order me by the first oppertunaty a sufficient supply, that for want of that wee may not become a prey to the enemy. *Signed*, Ro. Hunter. *Copy*. 1 p.

886. ii. A list of the stores of war in H.M. Fort Anne, New York, May 8, 1711. *Signed*, R. Walter, R. Mompesson. *Copy*. 1 p. [C.O. 5, 1050. Nos. 21, 21 i, ii ; and (without enclosures) 5, 1122. p. 390.]

June 18. **887.** Col. Vetch to Lord Dartmouth. Since my last ane  
Annapolis unfortunate advanture oblidges mee to give your Lordship the  
Royall. trouble of another. I had in severalls of my former intimated the disturbance wee mett withall from sekulking partys of Indians with regard to wooding the fort (for which wee are oblidged to send two mile by water to the edge of the woods and run a con-

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siderable risque from the lurking Indians) but especially with regard to the spars and beams as well as plank and boards for which wee have contracted with the inhabitants and payd them one half for advance: their way was to cutt a considerable number and after forming them in a float to bring them down, the Indians had frequently cutt lose those floats and turned them adrift as well as t(h)reatned the inhabitants if they either cutt or brought us any more, but by sending up of partys to frighten the Indians and give a fair pretension to the inhabitants wee still found a way to make them furnish them fast enough to supply the works which were pretty farr advanced about the middle of this month Major Forbes (Engineer here and verry deserving of a better post) told mee thatt hee began to be in want of trees and planks for carrying on the fortifications, and that the inhabitants were so insulted and threatned by the Indians and French party that they neither could nor durst bring any more to us unless they were in a manner compelled by a party being sent up amongst them for that effect, accordingly as I had frequently formerly done, I sent along with Major Forbes a party consisting of a Captain, three subalterns and 60 good men in two flat boats and a whale boat, who going up with too much confidence (having never before hardly mett with any resistance) and by putting ashoar below made a rumor of their comming go before them, they were ambuscadoed by 150 Indians newly arived from Ponobscutt in a narrow place of the river through which passing two securely the whale boats crew only consisting of 5 more having contrary to their express orders gone before the rest were every man killed long before the heavy boats came in sight refusing as the Indians say any quarter, the two flatts who heard the noise of the musketts hastned up to their releif, who imprudently pulling ashoar one after another as they could row fastest went ashoar upon all the Indians fire whom they could not see for trees and rocks while they being thronged in the boats were such a mark as could not be missed, who notwithstanding pulled directly ashoar upon them and were all of them killed, wounded and taken save one man who escaped in the woods and returned after two dayes, thiss was about 4 leagues from the garison, the place where most of all the timber for the fort was cutt, in thiss action Major Forbes, William Elliott, fort major, were killed and 16 more, Captain Bartlett, Ensign Coxhedge and about 9 more wounded. I must own that the Indians have treated them better then ordinary, and offer to sell (as their manner is) all the wounded for about £150, who are 10 in all, one Captain, one Ensign, two serjants and six men, the others they refuse to ransom proposing to carry them to Canada. I would willingly give them £5 per man for the private men, £10 for a serjant, £20 for ane ensigne and £50 for the Captain, both because wee extreemly want them and because they press so hard for itt being to march 500 miles by land in which journey most of them must dy for want of provisions, there being not one house by the way, and all they have to depend upon is the produce of their hunting by the way, your Lordship will perceive by the inclosed

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coppys of papers to the respective Governments what application I have made to them : as I expect but small if any assistance from any of them, so I hope your Lordship will advise H.M. to hasten over a reinforcement to me, for wee are so intirely blockt up by the Indians that wee cannot gett one stick of wood to burn all the inhabitants being flead whither to joyn them or not I cannot tell but if by good Providence three or four Boston vessels who had bein loading of coals about 40 leagues from hence had not arrived here whom I have caused all to unload for the use of the garison to the quantity of above 200 tunns, which will goe near to serve the garison in fire twelve months, I cannot tell what wee should have done. I was necessitate to give them rebaiting the freight near the price att Boston where coals are extreemly dear, the which summe is included amongst the other expenses of this garison draun for now, which I hope will be honoured being for the pressing necessitys of reparations and stores. *etc.* The party of Indians and Canadians which now block us up by land are sayd to be near [? 16]00 men who by the best intelligence I cann learn were sent by the Governour of Canada to prevent the French inhabitants espousing the Brittish intrest to keep the Indians in heart by assuring them of a squadron from France to reduce the place and to obstruct the fortifications, but as I have no fear of them though the garison be both weak and sickly as the inclosed account to Governour Dudley will inform your Lordship, unless the desertion of the Marines many of whom are found to be Irish Papists proves our ruine, however (by God's assistance) I hope allways to act the part that is incumbent upon mee to the last degree both of bravery prudence and faithfulness and fear nothing of all my officers doing the same, *etc.* *Signed*, Sam. Vetch. P.S. Since writing the above I have advice of two vessells arived att the bay Vert a port just behind this neck of land wee are seated upon, they have brought ammunitiion provisions and some men to joyn the party that blocks us up by land. I have ransomed seven of our wounded men, one ensign and a serjant for about £70 value in shrouds and blankets. All the well prisoners save two officers they have sent to Canada. Wee have every day some Irish marines deserts us, and it deserves a severe reprimand to the officers who entertain'd so many Irish papists and French as were sent upon thiss detachment. *Signed*, Sam. Vetch. 3 pp. [C.O. 5, 9. No. 99.]

June 19.  
Whitehall.

**888.** Mr. Popple to Berkely Seymour. The Council of Trade and Plantations having under consideration your petition (v. Aug. 14, Sept. 19, 1710), desire you will get a clear account in writing of what the duty will amount to, *etc.* [C.O. 5, 727. p. 257.]

June 20.  
Whitehall.

**889.** Mr. Popple to Mr. Attorney Generall. The Council of Trade and Plantations desire your opinion upon enclosed draught of a Representation upon Lord Baltimore's petition (v. Feb. 5 *etc.*) [C.O. 5, 727. p. 258.]

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June 20.  
Whitehal.

**890.** Council of Trade and Plantations to the Lord Dartmouth. *Enclose Addresses from the Council and Assembly of Virginia, (v. March 6th), to be laid before H.M., Col. Blakeston having attended us with copies thereof, alledging that the originals were taken at sea, etc. [C.O. 5, 1363. p. 303; and (rough draft) 5, 1335. pp. 118–119.]*

June 20.  
Barbadoes.

**891.** Mr. Lillington to the Council of Trade and Plantations. *Encloses duplicates of June 13. Since which I have not where-withall to trouble yr. Ldps. except the perusal of the other side, which I recd. (by the neglect of the officer) on Monday the 18th inst. att noon, many hours after the sailing hence of H.M.S. Guernsey and Sweepstakes, who came in on the Saturday before from their cruize, in which the latter took a French Guinea ship with 160 slaves; and both sail'd for the farther releife of H.M. Leward Islands on the 18th early in the morning. See that they now have all the succour we can send them hence; undoubtedly a greater force then the enemy can bring against them by sea; tho' I find their fears encrease by this late advice, I hope without any just grounds. For in the cruize of H.M.S. Guernsey and Sweepstakes, which has been for 3 weeks together about the French Islands, some of these ships of force must have been mett withall, as well as the sloops, three of which were chac't into Guadaloup Harbour by the Sweepstakes, from whom I cannot learn that he saw any ship of force in that Harbour; and my son who was in Martinique a month agoe with the Flag of Truce, tells me he thinks it impossible that they should att that Island fitt out the Adventure for this expedition, she then lying neglected without masts or rigging. I doe not question but that I shall within a few days be able to give your Lordships a good account of the eninie, etc. Signed, G. Lillington. Endorsed, Recd. 1st, Read 12th Sept. 1711. 1 p. Enclosed,*

891. i. Lt. Yeamans to the President of the Council of Barbados. *Refers to letter of June 3 (v. June 13). Since which we have had fresh intelligence, which makes us to apprehend ourselves to be in a farr worse condition then was att that time imagined, we being now informed that their design is positively against this Island, and that they will attack us with att least 30 sail, of which 4 are ships, the Adventure man of war that was lately taken from us making one of that number. This advice we have from a prisoner that was left aboard a Guinea ship who arriv'd last week after engaging the Ruby just to windward of our Island. He att first denied his having any knowledge of the enemy's intentions, but being in a desperate condition by the wounds he had recd. in the engagement, and perceiving himself att the point of death, has yesterday declared to us that the enemy is positively designed to attempt this Island, and that they are to sail from Guadaloupe (the last place of their rendezvous) by the 14th inst. our stile att farthest, which oblidges me to send this second express, and to*

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desire that you will afford us all the assistance you can by sending down all the men of warr that attend your station ; and if Capt. Legg or any other accidentall ships are att your Island, I assure myself that you will use your utmost endeavours to prevail with them to accompany the others, it being highly for the interest and advantage of H.M. in regard this Her island is att stake. *P.S.* Three of the ships are of the following force, viz., one of 36 gunns, one of 20, and the third of about 18, besides the *Adventure*. *Signed*, John Yeamans. *Copy. No date. 1 p.* [*C.O.* 28, 13. Nos. 62, 62 i; and (*without enclosure*) 29, 12. pp. 365, 366.]

June 20. **892.** Mr. Lillington to [*? Lord Dartmouth.*] Duplicates of  
Barbados. preceding and enclosure. [*C.O.* 28, 43. Nos. 58, 58 i.]

June 21. **893.** Minutes of a Council of War held at New London by  
New London. H.M. commands. The general Instructions to H.E. Col. Hunter were read. Agreeable to a former porportioning of men from ye severall Governmts. it is now determined for ye present expedicon, that ye proportions following be supplied ; New York 600, Connecticut 360, East Jersey 180, West Jersey 180, Pensilvania 240. To march to Albany on July 2, or so soon after as is possible. Upon reading Mr. Commissary Belchers letter from Boston what can be had for ye supply of ye generall Expedicon, Col. Hunter declared that he should want ye following articles. Agreed that letters go from this Board to Mr. Commissary Belcher, that 50 butts of wine, 10,000 gallons of rume, 150,000 of rice be taken up presently and disposed as Col. Hunter shall direct. It being represented at ye Board that Capt. Matthews in the *Chester* is not gon to Annapolis Royal for Col. Vetch as he was ordered, the necessity of ye service demanding ye coming of Coll. Vetch immediately, Col. Dudley is desired to send away Capt. Carver to Annapolis to carry ye letters left with Mr. Secretary Addington and the letters now agreed on, and that Carver proceed immediately and that he keep ye shoar on board going and coming least he meet with any vessels of strength superior to himself and at ye last danger to throw away his letters, and that Carver and his company keep all secret of the expedition. Agreed that Sir Charles Hobby be Deputy Governor of Annapolis Royall during Col. Vetch's absence. It appeareing to the Board that it is impossible to provide pork and pease *etc.* sufficient for ye fleet and forces, proposed that there be two fish days in a week for ye forces coming from Great Brittain and that Col. Hunter provide fish accordingly. Col. Hunter representing at the Board ye necessity of ye coming of ye two transports ye *Joseph* and ye *Neptune* now at Boston to New York both to unliver their loading and to carry provisions back to Boston for ye service of ye fleet and forces, agreed that Capt. Cockburn be written to that one of H.M. ships ye *Saphire* or *Leopard* convoy ye sd. transport to York and return immediately to Boston. And if ye Admirall of H.M. Fleet be arrived that Capt. Cockburn wayt on ye Admirall,

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and if he see meet to make any other order for ye safety of ye said transports coming to York it is left to his direction, and if this method failes, that Col. Dudley write to Capt. Mathews to bring them round the Cape so as they be safe into ye Sound, and that Mr. Commissary Belcher provide each of ye transports as well as the frigot a pilot at H.M. charge. Added to ye order to Capt. Cockburn or ye other frigot yt. convoys ye transports to New York, after having taken on board of him such a quantity of provisions as he can well stow, and taking charge of such other ships or sloops loaded with provisions as shall in that time be ready. Order to Capt. Mathews *as above*.

Col. Cranston reported to ye Councill of Warr that ye Assembly of ye Colony of Rhode Island and Providence Plantations had consented to ye raising of 160 men and no more. And that he desired that Mr. George Lee might be Lt. Colonel to Col. Nalton in ye regiment consisting of ye Massachusetts and Newhamshire where he was Major ye last yeare. In pursuance of ye order for fish, Col. Hunter wrote to Mr. Commissary Belcher to procure 700 quintalls, and to Comadore Cockburn about ye conveying the two transports from Boston to York, *etc.* June 22. It being moved to ye Councill of Warr for their advise whethere it were not for ye serv[ic]e and safety of ye troops or ye land part going toward Mountreal to have a reserve of provisions sent with the Fleet to Quebeck and so to Mountreal, advised that Govr. Saltonstall do send 3 months subsistance and provisions necessary for his quota of men in two sloops to Boston to joyn ye fleet and to proceed to Canada and from thence find ye best and safest passage to ye Cap wheresoevere they bee, and the sloops to be at the disposall of the officers for the bringing back any sick or wounded or other service. For the supply of ship carpenters for ye building of battoes or flat bottom boats at Albany or elsewhere, Governour Saltonstall is desired to provide ten good able ship carpenters, and let them be sent forthwith to Albany to Col. Schuyler or such other officer as shall be appointed by Govr. Hunter for that service, who shall be paid by H.M. Advised that Govr. Saltonstall provide at the best hand and send to Albany 200 bevers and 600 sheep to be delivered to Col. Hunter or his order for his own quota. Col. Rednap attending was directed to proceed in the service, and in order thereunto to repair to York to receive Gov. Hunter's Commission for the present expedition, and he is allowed 1s. per diem for himselfe and his clerk during ye expedition for his extraordinary service. Major Levingstone attending ye Board with his Commission as Major and Commander of a Scout drawn out of ye forces by ye Commander in Chiefe of ye Expedition late to Port Royal, and his Journal in that service, the Councill were of opinion that ye office and service was very necessary, and Govr. Hunter was desired to give him commission accordingly and a letter to ye Generall of ye forces recommending him in ye name of ye Board, and that he forthwith attend ye Generall with a copy of this Journal and other observations, and be at his direction where to serve either in the expedition to Quebeck or with the land forces

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by the way of Albany. The Governours at the Board severally reported that in obedience to H.M. Instructions, they had made strict and generall embargoes in all their ports to prevent intilligence to be given to ye enemy of ye present expedition. Govr. Dudley acquainted ye Board that he desired Major Robertson might serve in ye Massachusetts forces, and that he had a company for him as two years past, which was acceptable to ye Board. Advised that ye forces of Connecticut march from their head quarters at Newhaven towards Albany July 2nd, being as soon as possible they can be ready, and that Col. Hunter be desired to use all possible expedition with ye Assemblys of New York and ye Jerseys to hasten ye raying and mounting of the severall quotas for those Governments. Major Generall Winthrop, Coll. Townsend, and Lt. Coll. — from Boston attended and gave account under Mr. Commissary Belcher's hand what wine, rum, rice all might be had in Boston for ye service of ye British forces, which was well excepted by H.E. Col. Hunter, and desired that there might be no delay or interruption in ye coming down of their provisions from West Hampshire, which was recommended to Govr. Saltonstall; they also presented their challenge of debt from Connecticut and Rhode Island for ye joynt service and pray'd that ye accounts might be recommended to ye Generall Assembly of Connecticut and Rhode Island. In consideration of ye great charge and expence of ye travels by sea and land and attendance of H.M. Governours to the present Congress being the disdance of 100 miles and more, the Board are of opinion that there should be allowed to ye severall Governors the sumes following:—Govr. Hunter, £59; Govr. Dudley, £50; Govr. Saltonstall £20; Governour Cranston £25; Col. Schuyler £40 *etc.* H.M. in ye 11th Instruction to Govr. Hunter commanding the obteyning ye service of ye Maques, and their scouting, and service is recommended to ye officers at Albany and elsewhere in ye service. And the 11th Instruction and ye second in ye additionall Instructions relating to ye raising of ye Militia be referred to ye severall Governours, ye circumstances of ye severall Colonys and provinces not being possible to be reduced to one form or direction from this Board, and that ye Governours are desired severally to give intilligence to each other of any appearance of an enemy, and to keep out armed sloops to discover the approach of an enemy. Governour Cranston desired that the vote of ye Assembly of Rhode Island for ye raising of 162 men might be excepted for the present expedition. The Board do agree thereunto provided ye said number do not includ officers nor saylors. Col. Hunter reported what he had done to provide rum and wine and rice for ye subsistance of ye British forces, which was accepted at ye Board, and he was farther desired to proceed. H.M. having commanded a publick Fast in all her provinces and Governments to implore ye favor and blessing of Almighty God upon ye Expedition, it is recommended to ye severall Governours to take care therein. Col. Hunter shewed ye list of officers sent by H.M., and offerd ye service of any number of them to the other Governours at the Board. Col. Cranston informed the Board he

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wanted none. Col. Dudley referr'd ye consideration of ye affair so far as concernd him till ye arrivall of Col. Vetch who was to comand his part of ye forces. Col. Hunter is desired to supply Col. Cranston with 162 fuzees for ye service of his quota with ye other accoutrements. Upon reading at the Board ye severall letters of ye Rt. Hon. Mr. Secretary St. John, they are satisfied that all that can be done is proceeded as far as may be untill the arrivall of ye Generall of the forces and Col. Vetch. It is left with Col. Hunter and Col. Dudley to settle an express to pass between Boston and Albany every ten days, and Generall Nicholson is desired to give notice from Albany when ye express shall begin. Col. Hunter's express to come from Albany to Springfield to be performed at H.M. charge, and Govr. Dudley's from Springfield to Boston. Upon ye reading at the Board ye Addresses from Capt. Southack and Capt. Redgood the principell pilots to Quebeck, it is desired that Govr. Dudley will lay the papers before ye Generall and Admiral that they may be considered for a just reward of their service. H.M. having directed that Col. Hunter Col. Dudley in concert with Col. Nicholson draw out what money is found in any of H.M. offices of receipt in ye severall Governments, Ordered that a copy of that Instruction with a warrant from ye sd. Governours severally in joynt with Coll. Nicholson and receipt thereupon shall be ye sufficient warrant for the drawing out the money accordingly. The Councill recommended it to ye Governments of New York, ye Jerseys, Connecticut and Rhode Island to make ye same orders to prevent ye assisting and harbouring deserters as is made in the Government of ye Massachusetts. The Councill of Warr having proceeded in what as yet appear'd necessary for ye service, and it b(e)ing absolutely necessary that the severall Governors all take care in their particular provinces. What shall appear farther necessary for ye service of ye land Expedition and referd to H.E. Governour Hunter and General Nicholson, Coll. Schuyler or any other members of ye Board that can be present at any time to be there concluded and proceeded in from time to time. Ordered that the troops of Connecticut when they returne from ye present expedition shall deliver the arms the Queen shall furnish them with to ye Governor of Connecticut to be kept by him for H.E. Governour Hunter's order, unless H.M. shall order them to be a part of her Royall bounty to them. Col. Dudley is desired to adjust ye accounts of Mr. Borland, H.M. agent for ye contingent charges, from the time of Col. Nicholson's last departure to the Generall's arrivall, and direct Mr. Borland to draw them fair fitt to be signed by Col. Nicholson and Col. Dudley that they may be thereupon discharged either by money of H.M. drawn out of ye offices of receipt, or by bills of Exchange home. Payment of servants attending the Congress ordered. At ye breaking up of ye Congress, Col. Nicholson desired that Col. Dudley would immediately upon the arrivall of General Hill attend him with the minutes of the Congress, the proceedings of the Generall Assembly of the Massachusetts, and that Col. Saltonstall and Col. Cranston will do ye same for their severall Governments, and that Coll. Hunter will likewise give

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him account of his proceedings on ye land service towards the Wood Creek, *etc.* Agreed in Councill that if ye buisness of the Governments of Connecticut will allow it, Govr. Saltonstall is desired to bring up his own troops to Albany his presence there being judged a good service to ye Expedition or in a short time after ye march of his forces from hence. *Signed*, Ro. Hunter, J. Dudley, Fr. Nicholson, G. Saltonstall, Saml. Cran(s)ton. [*C.O.* 5, 536. *No.* 13.]

June 21. **894.** Bishop of London to Mr. Popple. Col. Diggs and Col. Churchill, two of the Council of Virginia being dead, *recommends* Col. Edward Hill for Councillor, as was his father before him, he being a sober good man and having one of ye best Plantations in that Colony. *Signed*, H. London. *Endorsed*, Recd. 22nd, Read 25th June, 1711. *Addressed*, to Mr. Popple *etc.*, at his office, at the Cockpit.  $\frac{1}{2}$  p. [*C.O.* 5, 1316. *No.* 63 ; and 5, 1363. p. 304.]

June 21. **895.** Lord Dartmouth to the Council of Trade and Plantations. Encloses Order of Council June 14, in order to the preparation of the draught of Instruction therein mentioned. *Signed*, Dartmouth. *Endorsed*, Recd. 21st, Read 22nd June, 1711. 1 p. [*C.O.* 5, 717. *No.* 36 ; and 5, 727. p. 259.]

June 22. **896.** Wm. Popple to the Secretaryes of the Treasury. Encloses extract from Governor Hunter's letter, May 7, relating to the subsisting of the Palatines. [*C.O.* 5, 1122. p. 389.]

June 22. **897.** Lt. Governor Bennett to the Council of Trade and Plantations. Your Lordps'. of Dec. 1st I have received, and laid that part of it before the Council relating to James Briggs, and it was the opinion and order of the Board, that the said Briggs be brought to his triall, and if noe new matter appear agt. him, he will be the more regularly discharged. Your Lordps. are pleased to observe, that the Spanish mercht. who was on board the sloop *St. James* (which was seized, brought in here and condemned for illegal tradeing) and five more of the crew, were put on shoar on the south side of Hispaniola *etc.*, which with submission seems to me, as if it was supposed there were noe men that belonged to the sloop brought in her hither sufficient to condemn her, or to prove she was without the limitts mentioned in the Act of Parliament *for the encouragement of the trade to America* ; to which I humbly answer that there were five persons brought in here, that were on board the sloop *St. James* when seized, vizt., Capt. Barnett St. John, master, Tho. Bushell, passenger, Antho. Needle, boatswain, Nich. Fortune, and Alex. Berry, sailors, all whom were att the triall and gave evidence excepting the Master (who would remain silent) and acknowledged (as may appear by the triall) that they had been abt. Porto Rico and bound to St. Domingo ; and as for proveing the sloop was not within the limitts where it was owned she was seized, the oath of Capt. Richd. Jennings (inserted in the triall) makes it appear, and my instructions to privateers

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obliges them to bring into port the master and two of the sailors att least in order to condemn their prizes ; I hope my Lords by my answer I have not misconstrued yr. Lordps'. letter. As for the cruell and inhumain treatment of the Spanish mercht. it was directly contrary to my instructions given. But I never saw H.M. printed Instructions to privateers till they came inclosed in your Lordps'. of Dec. 1st ult. therefore must have miscarried. When Capt. Richardson. Commander of the privateer, was served with H.M. writt of inlibition, which obliges him to appear before the Lords of Appeals in 100 dayes. I discharged him out of custody. But three others of the sailors that were said to be active in that cruelty I called to their trialls, one of them was acquitted, the other two I ordered to be whipt on board the same privateer being then in harbour, and to receive 69 lashes on their naked backs well laid on, and directed the Provost Marshall to be present to see justice done. By the inclosed affidavit of Capt. Roach, yr. Lordps. may percieve what dainger Antigua was att that time in : and since a sloop has arrived here, the master of which reports, that on the 14th inst. he mett a vessell att sea, and on hailing understood she came from Antigua, and knowing the Capt. went on board. who told him that on the 6th inst. he gott away from Antigua when the French Fleet was in sight and standing for that Island, and that the Governour and Council expected the enemy would land that night. Capt. Roach acquaints me that the man of warr appointed for the Leeward Islands went up to Barbados the 1st inst., soe that he can be of noe service, and that there were not above 600 white men in Antigua capable of carrying arms, soe that I fear that Island has been plundered. and wish the French may goe noe further. This news comeing early to me gave me the thoughts of giving notice to Curisoa, which I did by ordering a sloop to be imediately fitted out att noe charge to the publick, and only allowing a small cargo to be put on board to defray wages *etc.*, which consisted of 750 bushells of Indian corne, 30 barlls. of porke, and 10 barlls. of train-oyle, as appears by inclosed, and hope I have comitted no fault in permitting the same. I have precautioned the master and sailors that they take care that they bring nothing back with them that ought not to be imported, for that the vessell according to custome shall not be only strictly searched, but that masters and men shall be sworn to the due performance of that injunction. I have severall times been told by prisoners that have been carried into Martinique, that whilst there they were examined by the Governour into the nature of our fortifications, numbers of inhabitants, how furnished with ammunition, and what part of the Island was most dangerous as to rocks, and such-like questions, and was informed that there has been a resolution of attempting this Island. which fell for want of pilotts. But what startled me most is : a Bermuda vessell being taken amongst the Bahama Islands about 3 months since, by a Spanish privateer belonging to Barico on the Island of Cuba, and during the master's confinement there, (whose name is Xtopher Luther) the Capt. of the privateer would often be discoursing

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him abt. Bermuda, and asking questions relateing to the strength of the Island : and att last told him he knew this country as well as he, and that he did not doubt but with five vessells well man'd he could take or plunder the greatest part of the Island, and added that he very well knew the new fishing ground or ledge, that the inhabitants dureing the sommer season daily frequent, and that it was just out of sight of land, and seldome less than thirty boats there, which he said he would take, secure, and put on board [on] his men, and in the evening stand for the shoar as if the boats were comeing home from fishing, and soe unsuspected would land 500 men or more according to the number of boats (which generally one with another will carry 30 men each) whilst the other privateer vessells and boats were makeing the best of their way after them : Now my Lords everything the Capt. told Luther was a directly truth in all its particulars, and the way he proposed to surprise us must have taken place, and noe doubt but there has been some designe and consultations about takeing this country, and that was the way prescribed. Upon this information I issued out a proclamation forbiding all persons goeing a fishing on the new ledge till leave from me granted, thereby to prevent that designe : and will take all possible care that we be in a readiness least we should be invaded. This country now is much weaker as to men than it has been, a great many haveing died within these two years, and being in generall seafareingmen, one half are always abroad, and should this Island be taken it lies soe much in the way to intercept all trade both goeing into and out of the West Indies that the loss would be of very evill consequence, and doe pray yr. Lordps'. consideration. What I would humbly propose is (but hope it will not be thought I mean it only for my own advantage, but sincerely for the service) that H.M. Independt. Company here (which now consists of but 50 private sentinells) may be made up 100 with allowance of three serjts. and three corplls. (now but two), and then with the troop I shall always have abt. 160 granideers in a very little time together, which may entertain and prevent an enemys landing till the Militia regiment of foot can gett together and come to our assistance. Mr. Noden can informe yr. Lordps. of the weakness of the town and how easy it is to land. If it should be thought fitt to make that addition to the Company, I presume it will be done by drawing soe many men out of a company from regimts. att Portsmouth or Plymouth, and embarke them in some man of war bound for the West Indies : if soe I pray the officers may not send what men they please, but that young fellows that are handycrafts and tradesmen may be chose, which would prove of great advantage to this country. *Encloses* papers relating to the *St. James*. I have been disappointed of haveing the acct. of fortifycations and stores transcribed, the person whom I depended on has not been in a condition these severall months, and we have been soe much put to it for want of clarks, and the chief (Mr. Milburne) being likewise sick, that I have been obliged to take minutes and read papers in Council. I have ordered the Capts. of the Castle and forts to bring in their accts. of the last year's

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expence of stores, soe that the accts. I shall send as soon as can be done, will come compleat to the 1st. *Signed*, Ben. Bennett. *Endorsed*, Recd. 28th July, Read Aug. 1st, 1711. *Holograph*. 4 pp. *Enclosed*,

897. i. Certificate of the clearing of the sloop *Anne* for Anguilla, June 25, 1711. *Referred to in preceding*. *Endorsed*, Recd. July 30, 1711. 1 p.

897. ii. Copy of deposition of George Roach, merchant, of Philadelphia, June 19, 1711. At Antigua deponent saw the affidavit of some privateersmen who had landed at Martinique and observed the French to be very busy upon some design. On June 2nd one Capt. Paine in a ship from Guiny with about 28 sailors was attacked by a French privateer sloop with 130 men, to windward of Antigua, whom he fought from 10 in the morning till 4 in the afternoon, in sight of the Island, and then the Frenchman sheered off, leaving three men wounded on the ship's deck, one of which, examined at Antigua, and finding death approaching, declared that there were four ships and fifteen sloopes fitting out at Martinique with 2000 men with designe to attack Antigua, and were to rendezvous at Grommorne, the northernmost part of Guardalupa, and that the attempt was to be made on the 14th or 15th inst. *etc.* *Signed*, George Roach. *Endorsed*, Recd. July 30th, 1711. 1½ pp. [*C.O.* 37, 9. Nos. 20, 20 i., ii.; and (*without enclosures*) 38, 7. pp. 21-29.]

June 22.  
Bermuda.

**898.** Lt. Governor Bennett to [? *Lord Dartmouth*.] Refers to previous letters and repeats part of preceding. *Signed*, Ben. Bennett. *Holograph*. 4 pp. *Enclosed*,

898. i. Duplicate of No. 566 ix.

898. ii. Duplicate of No. 897 ii. [*C.O.* 37, 28. Nos. 7, 7 i., ii.]

June 22.  
Antigua.

**899.** Isaac Royall to Mr. Ayonn. I had sent you copies of my last per this opportunity but cannot come att them att present, having putt them underground five weeks since, and dare not take them up as yett. The Loyalists since my last have been under dismall apprehensions of their being all murdered, and not without sufficient grounds for their fears, it so alarmed us that Col. Thomas Newell, Mr. John Wright, and Leonard Burroughs gott off privately for Barbadoes and severall for the Island of St. Christophers, and severall more were designed off with myself, but the 2nd of this instant att night just as we were going to embarque, Capt. Peter Buer came up with an express from Mountserratt, that the French with 2 shippes, a brigantine and 20 sloops were preparing to invade this Island, att which we resolved to stay and see the event, the 3rd there was an alarm made, and two expresses sent to Barbadoes for the *Larke* which was gone there, who carried 40 souldiers with her, and the Barbadoes mann of warr; the Barbadoes men of warr being all on their cruise, and Norbury unrigged in the Road. The *Newcastle* on her

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cruise mett with two of the French shippes and 5 sloops under Dominico, and engaged them, one of the ships had 36 guns, the *Newcastle* fired 9 rounds, his Lieutnt. and 9 of his men were wounded, the head of his foremast splitt, what damage he did the French as yett unknown, after his return to Barbadoes he immediately refitted and took on board our souldiers, and 100 of the best of Norbury's men, and came down and arrived att Falmouth the 13th, and went immediately to visitt the Leeward Islands, and as yett we have no newes of him, nor from the Leeward Islands. Wee have great reason to fear the French have been att some of them ; yesterday ye *Guernsey* and *Sweepstakes* arrived from Barbadoes and went immediately to Leeward, the *Virgin Queen* was sent out to look into the French harbours, as yett not returned, 'tis feared she is taken, there were two expresses sent to Nevis to the Lt. Generall to desire him to come up, but as yett not arrived here. We have been encamped ever since the 3rd instant, and so were all the Lwd. Islands when we had the last advice. Capt. Whaley has been gone for Martinico in a truce 24 dayes and as yett no news of him ; Bermingham has putt the French on this attempt—by the men of warr yesterday from Barbadoes we recd. advice that one of the London fleett was arrived there, that he left the fleett att Maderas, but that our Genl. was not with them, which gives us a great concern, and when he does come, if he does not bring a sufficient number of souldiers with him, his coming I fear will be of little service to H.M., or her faithfull subjects here, as you may judge by the following discourse, and hope you'll lay the whole matter before H.M., most humbly imploring her most gracious and speedy protection for our lives and estates, all persons are in fear if they should write, and the knowledge of it come to any of the Rebells' ears before a protection should come from H.M., 'twould prove fatall to them. Justice Gateward dyed two dayes since, having never recovered the bruises he recd. the 7th of Dec., as he declared just before his death. Capt. John Duer since his arrivall from England is a mighty man in the interest of the Rebells, speaks largely in their behalfe, and 'twas reported he was to head the windwd. rebells, att which report his sister Major Blizard's wife went the latter end of May to him, and told him of it and many other reports. Duer told her 'twould be necessary that some of the Loyalists should be taken off. Mr. Richard Cochran, one of their old faction, who lately came from Barbados, has given himself a great deal of liberty on this occasion ; he told Cp. John Wickham att Parham after some discourse, that ye devill was in them (meaning the Rebells) that they did not cutt all the Loyalists' throats, when they murthered the Generall. On the 1st inst. they made a great feast att Barnacle point, where were most of the heads of the Rebells, att which feast they invited all the poor people farr and near, the vilest and most despicable fellows were there to the number of 80 odd, which strangely alarmed us ; and att that meeting Archibald Cochran and Fra. Carlisle made a speech, and told them they were glad to see so many hearty brave fellowes together, that they would fain know what force

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could make them prisoners, if they stood by one another, and invited them to another feast att Barry Tankerd's where there were to be killed 2 oxen, and the next att Dickinson's bay, a treat of Jacob Morgon's, and the next att Willoughby bay to be Capt. John Duer's, all just after the old manner, which was done some time before they murdered the Generall, wch. you know perfectly well.

The deposition of Mrs. Jane Dixon, widow, taken the 19th inst.:—On the 2nd inst. Edwd. Chester Senr., one of the Assembly, came to her house, she, seeing him under a great concern, asked what was the matter with him, if there were any new plotts on foott again, as she believed there were. Chester replied he had that day received a very severe check, because he was nott att the fish feast at Barnacle point, the day before, and that he saw nothing but hell and villainy in every place amongst them, and that he did not know what to think. Dixon replied that she hoped, if there were a plott to cutt off some families, he would not joyn with them in so horrid and hellish a piece of wickedness. Chester replied, No, he would rather be drawn to pieces with horses than joyn with them. Dixon replied, Suppose you should murther 20 or 30 families, as she supposed was their design, what would become of them, where would they goe, to Madagascar? Chester replied smiling, nearer home to Monsieur, att wch. Dixon, I apprehend you very well,—but you may depend that the French King on this occasion will not protect one of them, for the French in generall detest the action, Mr. Chester replied, sd. Dixon, if there be such a design on foott and you doe not joyn with them, you must expect to be murdered. Chester replied, who questions that? I know it, and expect no other, and farther said that if something extraordinary did not prevent it, she would see within some months, nay weeks, more blood and murther in this place than had been known in a thousand years in any place of the like bigness; farther replied sd. Chester, the next Tuesday there is to be another hellish meeting, where he was summoned to be, but he would not goe near them, and that everyone was to carry their armes under a pretence of firing att a mark. Farther Mrs. Dixon deposeth, that one Mark Biggs, Chester's bookkeeper, told her that he knew most of their secretts, and that their design att the next meeting was to swear all they could to their secretts and then to divulge their design, and that they were resolved to receive the new Generall with sword and pistoll, farther that they had sent Col. Perry, the Surveyor Genl., to Barbadoes on purpose to learn the first advice from England, and that if they understood that the Queen had given orders to take up the heads or to punish any of them, they would destroy all they supposed to be against them, and leave the Island with what they could carry off with them, *etc.* Signed, Isaac Royall. 2 $\frac{1}{2}$  pp. [C.O. 152, 42. No. 65.]

June 24. **900.** Petty expences of the Board of Trade, postage, stationery, coal *etc.* Lady-day to Midsummer, 1711. v. Journal of Council. 6 pp. [C.O. 388, 76. Nos. 118–121.]

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June 24. **901.** Governor Lowther to the Council of Trade and Plantations. I arrived the 22nd instant, *etc.* Here is advise that the French were making great preparations at Martinique and Guardaloup to invade some of H.M. Leward Islands. I have sent my Lord Dartmouth all the particulars I can learn, *etc.* P.S. I will lay before your Lordships the state of this Island as soon as may be. *Signed*, Rob. Lowther. *Endorsed*, Reed. Aug. 6, Read Sept. 12, 1711. *Addressed, Sealed, Postmark. Holograph.* 1 p. [*C.O.* 28, 13. No. 63; and 29, 12. p. 367.]
- June 24. **902.** *Same to [? Lord Dartmouth.] Repeats part of preceding and Nos. 877 ii. and iii. and 891 i.* The Jamaica convoy which came in company with me went from hence 23rd inst. for Antegoa; it consists of one third-rate, and two fourth-rates, and I sent the *Burlington* a fourth-rate along with them; this I judged was for H.M. interest because on May 17th when I was at Medera, I was there informed that M. du Cass had been there about a month before in a ship of 70 guns that had 500 men on board and a great number of officers, but I could not learn to what part of West-Indies he was bound, nor have I since heard anything of him: I hope H.M. will have a very good account of that invasion, if the men of warr have the good fortune to arrive in time, *etc.* *Signed*, Rob. Lowther. *Holograph.* 4 pp. [*C.O.* 28, 43. No. 59.]
- June 25. **903.** Council of Trade and Plantations to Lord Dartmouth. Whitehall. Enclose draught of Instructions for the Governor of Maryland relating to the guage of tobacco hogsheads and an Agent, (*v. No. 906.*) *Annexed*,  
903. i. Draught of Instructions referred to *supra.* [*C.O.* 5, 727. pp. 264–272; and (*without enclosure*) 5, 721. No. 12.]
- June 25. **904.** Lt. Governor Hamilton to Lord Dartmouth. Since Antigua. my last the French landed at Mountseratt on the 14th instant with 1200 men by the best information I can gain from their prisoners that are taken (being two Captains and six men belonging to privateer sloops). They likewise acquaint me that their first designe was for this Island, but the *Newcastle* man of warr on the 3rd inst. haveing mett with their fleet consisting of two ships, a brigantine and severall sloops off of Martinico did engage and so disable the ships that they could not proceed on the intended expedition, after which the Captain of the *Newcastle* made the best of his way to Barbados, where meeting on the 9th instant with the express I sent, and one from the Lt. Governor of this Island, he made all the dispatch he possibly could, and came downe so seasonably that he left Mountseratt in order to come to me (haveing first called here) about 12 a clock at night when the enemy landed about four in the morneing at a place called Carr's Bay, the North part of the Island, marching in the morneing to the southward, where they were mett and stop'd at a pass or gutt by a party of the inhabitants consisting at first

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of about 60 men under the command of one Capt. George Wyke ; our number increasing every moment at said pass hindered the enemy from coming forward, upon which the President of the Council sent immediately a sloop as an express to give me an acct., which no sooner reached the Island but the man of warr went under sayle, so that I could not get to towne before she was gone. I would have followed in a sloop, but that the Council and as many officers as were present came in a body and desired that I would not run so great a risque, the enemy having their privateers everywhere, which I submitted to after having well considered the consequence that would attend it should I be taken, and then wrote immediately to the Captain of the *Newcastle* that it would be very much for H.M. service that he should fetch me up and carry me to the place I thought might be most in danger (which I take to be this Island) who thereupon returned the 18th inst. giving an account that the enemy was gone before he could get thither, however not knowing the damage the enemy had done the Island, and what further attempt they might make thereon I immediately embarked and proceeded to the said Island, where we arrived the 20th and sayled the day following for this place lest the enemy might make any attack here, and in our voyage mett off of the old Road H.M.S. the *Guernsey* and *Sweepstakes* all belonging to the Barbados station ; the *Lark* the only ship belonging to this station not being fitted I desired the Captain of the *Newcastle* to let one of the said ships of warr remain with me till the returne of the *Lark*, wch. he has readily granted ordering the *Sweepstakes* to stay. Since my arrivall we have not seen or heard of any privateer and the Governor of Martinico, I have reason to believe has stopp'd two flaggs of Truce which I sent with prisoners to be exchanged. The first has been gone from this Island 28 days, and the other from Nevis 18, which is the usuall time allowed for the returne of Truces, so I am doubtfull they design to make a second attempt on some Island or other, having had time by this to refitt their two disabled ships, and are reinforced by another ship of 30 guns that arrived there on the 4th instant from the coast of Guinia as we are informed by the prisoners that were taken that day in another ship of 18 gunns coming from the same coast in sight of Fort St. Peirre, and the other ship by the *Sweepstakes* man of warr, her cargoe being slaves, upon which I have again intreated the captain of the *Newcastle* to leave an order likewise with the captain of the *Guernsey* (who is now at St. Christopher's watering his ship) to remaine for some few days amongst these Islands, and to observe such orders and directions as he shall from time to time (whilst he stays) receive from me, till the returne of one of the Truces or such time that I have an acct. that their designe is frustrated and quite over, which he has not only granted, but in all other respects plainly demonstrated his zeal and regard for H.M. service and the defence and protection of these Her Islands, especially by his expedition in coming to the relief thereof, which I do assure your Lordship has been a most signall peice of service to these Islands, they being in a great measure thereby secured, particularly Mountseratt

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which I doubt the enemy would not have quitted so easily had they not feared the loss of their vessells by his geting amongst them, which I cannot but remark to your Lordship in justice to Capt. Bourne. The Island of Mountseratt has suffered but little by the enemy's descent, having lost only 50 or 60 negroes that went into them, neither was there more than two of the inhabitants and one malato slave killed, nor was there more than one house burnt or damaged. The enemy lost at least 60 or 70 men by what we can apprehend from the prisoners that were taken, of which number 19 were found dead at the place where they engaged, so that whether this will discourage them from makeing any further attempt is uncertain, but nevertheless I shall prepare for their reception, from which your Lordship may plainly perceive that these Collonys cannot be protected or the trade to and from the same secured without there be a greater number of men of warr appointed to attend this station, as I intimated in my former letters, *etc.* Signed, W. Hamilton. 4 pp. [C.O. 137, 51. No. 46; and 152, 42. No. 66.]

June 25.  
Antigua.

**905.** Same to the Council of Trade and Plantations. *Duplicate of preceding.* Signed, W. Hamilton. *Endorsed*, Reed. 5th, Read 12th Sept., 1711. [C.O. 152, 9. No. 76; and 153, 11. pp. 362-366.]

June 26.  
Kensington.

**906.** H.M. Additional Instructions to the Governor of Maryland. *Quote* Representation, No. 903, which is approved of. *Conclude* :—It is our will and pleasure, that after the receipt hereof, you recommend to the next General Assembly the passing an Act or Acts for preventing the cropping of tobacco hogsheads, and for reducing the Maryland hogsheads to the size of those made in Virginia, and that you take care the penalty for the breach of either of the said Laws be the same. Our further will and pleasure is, that some fitt person residing here be appointed Agent for that Province, who being fully impowered and instructed, may from time to time as occasion shall require, take care of and negotiate all such matters as may concern the said Province. Signed, A.R. [C.O. 324, 32. pp. 94-98.]

June 27.  
Barbados.

**907.** Mr. Lillington to Lord Dartmouth. The illness under which I have laboured for these last six months prevented me from delivering up the Seal and other Regalia of this Government to H.E. Rob. Lowther *etc.*; yet I cannot but express my great satisfaction that a person of his judgement, experience and integrity succeeds to accomplish and improve that Union which all my endeavours have been towards cultivating amongst a people soe dismally divided when I came first to the Government. If my actions have been without private designs and interest (the chief occasions of the distractions of this Island), if I have not been or can charge myself with oppression in retaliation of the many barbarities I have suffer'd under colour of H.M. authority from many of this place, *etc.*, I flatter myself I shall meet with such an approbation of my administration from your Lordship,

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as will be the most acceptable to me of anything in this world. My age and present sickness (if I ever gett over it) will render me unable any more to attend the publick servis, which I hope your Lordship will think a reasonable excuse for my desiring to be discharg'd therefrom, since I have bore the honour of being a member of H.M. Councill of this Island for 25 years, in which time I never enjoyed a post or office of proffit ; and if your Lordship will give me leave to recommend my eldest son George to be a Member of the Councill in my stead, I shall willingly resign, *etc.* *Signed*, G. Lillington. *Addressed*. 1 p. [C.O. 28, 43. No. 60.]

June 27. **908.** Mr. Seymour to the Council of Trade and Plantations. *In reply to June 19, encloses following.* I am very certain if any one could inform me particularly, it must be Capt. Hyde, who knows the Governours revenue pretty perfectly, having been correspondent to Coll. Blackiston and my father. But all accounts of that Province have been of late so neglected, that it is impossible for anyone to make a computation but by guess. *Signed*, Ber. Seymour. *Endorsed*, Recd. Read June 27, 1711. 1 p. *Enclosed*,

908. i. Capt. Hyde to Berkeley Seymour. I have made a farther enquiry at the Custome-house and of the Lord Baltemore. But neither of them hath any accot. of the shippes cleared at Maryland since the decease of your good father. I can only guess by what I have recd. from the President of the Council of Maryland that from July, 1709 to the date of Coll. Corbett's Commission the halfe of 9d. per hhd. may amount unto about £400 to £450 *etc.* *Signed*, John Hyde. *Endorsed*, Recd. Read June 27, 1711.  $\frac{1}{2}$  p. [C.O. 5, 717. Nos. 39, 40 ; and 5, 727. pp. 272-274.]

June 28. **909.** Mr. Lowndes to Mr. Popple. My Lord Treasurer desires to know upon what termes the Palatines were sent to New York. Treasury Chambers. I have his Lordp's. commands to acquaint you that the printer shall have orders to send to the Office of Trade the Acts desired by you in your letter of yesterday's date, as soon as I am informed what number it is you want of them. *Signed*, Wm. Lowndes. *Endorsed*, Recd. June 28, Read July 2, 1711. *Addressed*.  $\frac{3}{4}$  p. [C.O. 5, 1050. No. 22 ; and 5, 1122. p. 394.]

June 28. **910.** Lord Dartmouth to the Governor of Maryland. Whitehall. *Encloses* Instructions of June 26th, to be communicated to the General Assembly, *etc.* *Signed*, Dartmouth. [C.O. 324, 32. p. 99.]

June 29. **911.** Mr. Popple to Lt. Governor Spotswood. Whitehall. *Acknowledges* letters *etc.* of Dec. 15, 1710, March 6th and 20th, 1711, all which the Lords Commissioners of Trade and Plantations will take into consideration, and then lay before H.M. what is requisite, for her pleasure thereupon. In the mean while the two Addresses you mention, March 6, to have transmitted to Col. Blakeston from

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the Council and from the Assembly of Virginia have been presented to her. As to what you write in relation to the sending of your dispatches by the packet boats or by other conveyances, you will perceive by the enclosed Proclamation how the conveyance of letters throughout all H.M. Dominions is at present regulated, which will be a guide to you in all future occasions. You will perceive by my letter of Jan. 29 what their Lordships' opinion was in relation to the passing of a law for raising of a fund to be employ'd in the iron manufacture, to which I have only to add that their Lordships are not sorry the last Assembly did nothing in that matter, for unless there be other reasons than what do occur to their Lordships at present, they do not see it will be for the advantage of this Kingdom, that such an undertaking should be encouraged in the Plantations. [*C.O.* 5, 1363. pp. 324, 325 ; and (*rough draft*) 5, 1335. pp. 122, 123.]

June 29.  
Whitehall.

**912.** Council of Trade and Plantations to Governor Hunter. We have at present your letters *etc.* of May 7 under our consideration, in order to our laying before H.M. what shall appear necessary in relation to both your Governments, so that till we have gone through the whole, and H.M. pleasure be declared thereupon, we shall not be able to give you particular answers *etc.* We have laid before my Lord High Treasurer what you write in relation to the Palatines, and shall do what further lies in our power, that may promote the employing of those people in the production of Naval Stores. As to your desire that your salary and other expenses may be paid out of the money in the Collector's hands, we must refer you to what was writ you, Jan. 29, to which we have only to add, that all money levyed in the Plantations, by virtue of the *Act for encouraging the trade to America*, as duties on prize goods, is appropriated and made a fund for loans and cannot be otherwise disposed of. We have received from the Board of Ordinance the extract of a letter from you to the Duke of Marlbro' (v. June 18), upon which we must take notice, that you ought to have sent to us a copy of the said account as you are required to do by your Instructions. You ought at the same time to have transmitted an estimate of each particular species of arms or ordinance stores that are wanting, and also to have explained whether this account comprehends the remains of stores that are at Albany and Schenectady, as well as at New York, otherwise it is very difficult to apportion what is necessary to be sent. We transmitted to you, March 16, H.M. Order in Council confirming the *Act for ascertaining the place of sitting of the General Assembly of New Jersey*, so that that matter is now at an end. As to what you write in relation to the Court of Chancery, and to the Members of the Council being Judge Assistants in the Supream Court, and to the inconveniencies that arise thereby, we can only observe that by your Commissn. you are empower'd and authorized to erect, with the advice and consent of the Council, such Courts of Judicature as you and they shall think fit, and to appoint Judges, Justices *etc.* So that if you find any inconvenience by the present constitution of the

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Supream Court, your Commission and Instructions in that behalf will be your best guide. We desire that you would send us by the first conveyance, a complete collection of all the laws of New York since ye year 1691. We have only to add that hereafter in your correspondence with us it will be more easy and proper, that what you write relating to each of your Governments, be in separate and distinct letters. [*C.O.* 5, 1122. *pp.* 391-394.]

June 29.  
Whitehall.

**913.** Council of Trade and Plantations to Lord Dartmouth. *Enclose* extract from Lt. General Hamilton's letter of April 5, relating to the need of stores of war. [*C.O.* 153, 11. *p.* 346.]

June 29.  
Whitehall.

**914.** Mr. Popple to Mr. Burchett. *Encloses* extracts from Lt. General Hamilton's letters (April 5 *etc.*) relating to the need of ships of war for the protection of the Leeward Islands, to be laid before the Lords Commissioners of the Admiralty. I am to desire you will move their Lordships that the Lords Commrs. of Trade may be informed of the number and rates of the ships of war or sloops appointed for the service of each of the Government(s) in America, whereby their Lordships may be better enabled to return answers to such letters as shall be writ to them from time to time by the Governors of ye said Plantations. [*C.O.* 153, 11. *p.* 347.]

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